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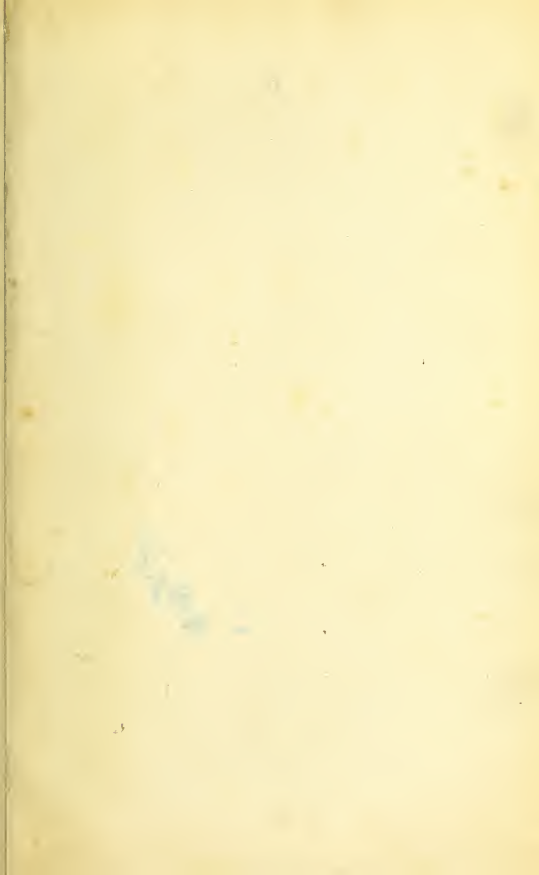
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# CALIFORNIA

Its Past History

ITS PRESENT POSITION

ITS FUTURE PROSPECTS.



SCENE ON A BRANCH OF THE SACRAMENTO.

London.

Printed for the Booksellers.

1850.

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# CALIFORNIA:

ITS PAST HISTORY; ITS PRESENT POSITION;  
ITS FUTURE PROSPECTS:

CONTAINING

A HISTORY OF THE COUNTRY FROM ITS COLONIZATION BY  
THE SPANIARDS TO THE PRESENT TIME;  
A SKETCH OF ITS GEOGRAPHICAL AND PHYSICAL FEATURES  
AND  
A MINUTE AND AUTHENTIC ACCOUNT OF

*The Discovery of the Gold Region,*  
AND  
THE SUBSEQUENT IMPORTANT PROCEEDINGS.

---

INCLUDING A HISTORY OF THE  
RISE, PROGRESS, AND PRESENT CONDITION OF  
THE MORMON SETTLEMENTS.

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WITH  
*An Appendix,*  
CONTAINING  
THE OFFICIAL REPORTS MADE TO THE GOVERNMENT  
OF THE UNITED STATES.

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# GUIDE TO THE GOLDEN LAND.

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## INTRODUCTION.

The instinct which prompts men to cleave to the land of their nativity, is one of the strongest of our common nature. It operates alike in all countries and under all climes. The Esquimaux—who wander amidst the eternal snows and icy seas of the Arctic Regions, satisfied with coarse and scanty fare, and a brief summer succeeded by a winter's night six months long—testify to the influence of this feeling, as strongly as the Hindoos, who, under a summer sky, are content to vegetate upon the smallest allowance of rice. It has given birth to the loftiest deeds of patriotism—the finest out-bursts of poetry—the most patient endurance of hardship and suffering.

Some writers upon Emigration have made light of this feeling, and treated it as an unreasoning prejudice, the offspring of ignorance merely. That any one should be content to wear out life in a country where he owns no more land than will bury him, and, in many instances, will have to be indebted to the parish for even that, while the finest climates—the brightest skies—and the most fertile plains in other parts of the world remain unappropriated, certainly does, at first sight, appear wonderful. But it is not to be accounted for by the allegation of ignorance or habit only. They may have some share in producing the result; but it is mainly attributable to the fact, that love of country is an inherent part of our nature, and that we shrink back from the thoughts of voluntary expatriation as an evil to which only the most extreme necessity should drive us.

Bitter, indeed, is the struggle between Starvation and Emigration; the struggle which drives a man from the home of

his fathers, deprives him, perhaps for ever, of all the cherished objects to which he has been accustomed from his infancy, and compels the abandonment of the most endeared associations, under the harassing dread that a new country, and a new home, however fair in prospect, may not yield an equivalent for the surrender. The instinctive reluctance to leave home can, in many cases, only be overcome by bringing into play a stronger passion. Day after day the struggling parents cast an anxious look on the expectant faces of their little ones, when seated round the table, and, comparing the demand for bread with the small and uncertain supply, anticipate, with a shudder of horror, the coming piteous cry of hunger and misery. The scratching of the wolf is heard at the door, and all their exertions fail to drive him away. Toil, however protracted, yields not such a return as will enable them to supply the daily recurring wants of their family: the grim work-house, and a pauper grave, close in their own future prospects, while their children, left homeless, and mere waifs on the earth, will be exposed to all the chances of the temptations of such a life—perhaps to sink from poverty into crime. The parental instinct triumphs, but not without a severe effort. How many times is the resolution taken and given up! How eagerly is every means resorted to which may avert the necessity! But the stern fact continually recurs: there is not enough to eat; the physical conquers the moral—the mind succumbs to the stomach—and the final decision is at length made. When the resolution is taken, economy, which before was rigid, has to be strained to the utmost in order to provide the sum necessary for the voyage. The bulky articles of furniture are disposed of, among which many objects are sacrificed which the family hoped to retain for generations. The friends of the household—where possible—contribute something, either in money or clothing, and thus, little by little, the fund is acquired; the household goods are scattered far and wide; they step over their threshold for the last time, and having cast a “longing lingering glance” at the “old place,” and spoken the last farewells, with heavy hearts they depart for the port of embarkation.

For the benefit of those who by these and similar considerations may be induced to try their fortunes in other lands, this work is mainly intended. We do not propose either to disparage, or unduly depreciate the state of affairs at home, nor to present glowing pictures and seductive promises of the homes which the emigrants may make abroad. Our object is solely to enable those who contemplate emigrating to choose the most appropriate labour-field for the future, and to instruct them how to proceed in making their arrangements for reaching it in the most economical, safe, and expeditious manner.

There are, however, other classes to whom, under existing circumstances, Emigration has become more or less necessary, and who are now turning their attention to the subject under the daily increasing pressure on the home market; the small capitalist and farmer experience more and more difficulty in bringing up their families and maintaining the position in life they have hitherto occupied. The aggregation of large capitals in the hands of a few individuals, and their application to retail business, has had the effect of generally reducing prices and profits to so low a point that the small capitalist cannot live by them. The competition becomes yearly more intense, and no one can doubt its ultimate result: the weakest must go to the wall. The farmer, with a moderate capital, feels that the invitations to increased outlay in draining, manure, implements, and other agricultural improvements, which are so kindly addressed to him by landlords and theorists, are a bitter mockery. A permanent reduction of from one fourth to one third in the prices of all agricultural produce has taken place under recent legislation, while the fixed burdens of the country remain, and are likely to remain, at their former amount. He feels his capital daily melting away, and it is therefore not unnatural that he should look for some more profitable field for its investment. In Ireland, this feeling has led to the Emigration of thousands of tenant-farmers with moderate means. We shall be much mistaken, if, under the influence of the changes alluded to, the same feeling does not spread widely and rapidly in England. The abstraction of so much capital and so many employers, both in trade and

agriculture—the increasing employment of machinery instead of manual labour, and the struggles of the Mammoth capitalists to maintain their supremacy in the market, all give tokens of a sorry future for the labouring man in England.

It must be confessed, that the present state of the country is bad enough, and needs not to be heightened by anticipation of a worse future. Our so called civilization has so far produced results of which we have no cause to be very proud. Tens of thousands of our fellow creatures perish yearly of absolute want. Those who toil the hardest are the worst used. Vice and crime increase faster than wealth and intelligence. Millions of paupers eat up in compulsory idleness an annual revenue equal to that of powerful kingdoms. Children are famished, and mothers so degraded and brutified, that they poison their offspring for the sake of the burial fees. Man is condemned to over labour and unrequited toil, until he envies the ox that draws his plough, and finds himself worse housed and fed than the horse he drives. Thousands, pent up in cellars and garrets, in dark, close, filthy courts and alleys, are swept away through the instrumentality of fever, and furnish the seed plots for generating the more appalling, but not less deadly, ravages of cholera.

There is no need for all this over-crowding, jostling, struggling, and its concomitant evil passions, vices and misery. This island, properly used, is large enough for all of us, and if it were not, there are wide and fertile regions beyond it, where, though we cannot carry the instinct, we may yet create the comforts of home. There are yet boundless and unappropriated freeholds, where the mere scratching of the fruitful soil makes it become pregnant with plenty, and the sacrifice of one instinct is compensated by the full and joyous development of many that are now crushed and stifled by the dead weight of an artificial system. In the far-spreading prairies of America, on the Australian cattle runs, in the New Zealand valley, and on the side of the Tasmanian green hills, common life is to be found abounding in ease, comfort, and enjoyment. The pleasures which are here reserved for the exclusive gratification of the rich, there become the

every-day possession of the emancipated slave from misalled civilization. Hunting, shooting, fishing,—pure air, green fields, umbrageous woods—the mountain stream and the verdant valley—fresh garden fruits and flowers—all that accords with the natural instincts of man and their healthy gratification, offer themselves in exchange for a state of society in which the great mass of the community are degraded to an existence of mere brute labour, diversified only by brutal and sensual indulgences.

Home Colonization, or Foreign Colonization upon a systematic and an extensive scale, carried on by national funds, under the superintendence of the Government, offer the only adequate outlet for the surplus skill and industry which are naturally and continuously thrown out of profitable employment among us. Unhappily, neither the Government nor the Legislature are disposed to take up the question in that broad and comprehensive way which its paramount importance deserves. “Sufficient,” for them, “for the day is the evil thereof.” They are satisfied, if by some surface measure—some temporary subterfuge—the necessity for larger measures and more determined action can be staved off. They leave to posterity—or to the chapter of chances—the ultimate consequences of such a short-sighted and selfish policy.

In the meantime, the lightening of the over-burdened ship is left to the prudence, forethought, and resolution of individuals; and Emigration proceeds at no mean rate, however disproportionate in its parts, or inadequate to our most pressing exigencies, when looked at in a national point of view. The shopkeeper, determined no longer to be haunted with the spectre of the *Gazette* and the *Bankruptcy Court*, the clerk who wields the pen, and has daily, for bare life, to bear the snubbings of his master, abandons his desk in the hope of bettering his condition in a community, where, if he must use the spade or the crook, he will at least be on an equality, because all will dig and herd like himself. The farmer who sees no chance of paying English rents and English taxes out of Free Trade prices, thinks he may as well exchange rent for fee simple, and become a landlord himself in regions where Free Trade

will not be accompanied with heavy taxation. The artizan and labourer who daily hear and feel that England is the rich man's Paradise and the poor man's Pandemonium, gird up their loins as fast as possible, and prepare to leave the Pandemonium, however it may afterwards fare with the rich. According to the Registrar General's Report, there were within these islands at Midsummer, 1849, several thousand fewer men, women, and children, than there were at Midsummer, 1848. More than the annual increase of the population had found their way—either to our own colonies, or to the United States. There are no indications of the stream of Emigration slackening; none of the drying up of the sources from whence it flows. Under these circumstances, a WORK—which will give full and faithful instructions as to the course an Emigrant should pursue in preparing for his voyage, and unbiassed and unexaggerated descriptions of the various Emigration fields which are now open to him—has become a necessity of the age, and—without disparagement to any existing GUIDE—we undertake the task with the view of producing a more perfect and complete EMIGRANT'S GUIDE BOOK, than has hitherto been presented to the public.



# GUIDE TO THE GOLDEN LAND.

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## CHAPTER I.

*Government arrangements for the protection of Emigrants.—  
Provisions of Acts of Parliament.—Emigration Commis-  
sioners, and list of Agents at home and abroad.*

UP to a very recent period, no systematic or effective legal superintendence was exercised over Emigrant vessels; the owners and their agents had, therefore, unlimited control over the lives and comforts of those who embarked on board of them, and, as is always the case when persons possess irresponsible power, they abused it. Ships utterly unseaworthy, ill found, ill-provisioned, mere "floating coffins," were sent to sea, crowded with poor and helpless Emigrants, who were subjected to the most horrible sufferings on board these plague ships. Pestilential fevers, the effect of over-crowding and defective arrangements for personal cleanliness, broke out among them and swept them off by hundreds on the passage. Unfit, as the frail rotten and unprovided vessels were to weather a storm, when they did encounter one, the frequent result was shipwreck, and the loss of the whole of those who were on board. The ship was, in the first place, unsound, and unfit for the purpose, and, to aggravate this cardinal defect, no adequate provision in the shape of boats, or other aids, was provided to meet any contingency. Not unfrequently it was under the command of a person totally incompetent to the important duties devolving upon him.

Public attention was frequently directed to this subject, but without any very direct or perceptible amendment of the evils complained of, until the enormous Emigration to Canada, which took place from Ireland during the recent potato famine, brought the system to a climax, and compelled the government to adopt vigorous measures for the protection of Emigrants, and the regulation of Emigrant ships.

The following is an official abstract of the principal provisions of the acts now in force for the regulation of North American Passenger Ships, as prepared by the Emigration Commissioners.

"1. The provisions of the three Passengers' Acts, 5 and 6 Vict. cap. 107., 10 and 11 Vict. cap. 103., and 11 and 12 Vict. cap. 6., apply only to such vessels as carry more than one passenger to every twenty-five tons of their registered burthen. Cabin passengers are altogether excluded from the operation of the law.

"2. All the provisions of the Acts extend to foreign as well as British vessels. except those which relate to the rules to be prescribed by Orders in Council for preserving order and for securing cleanliness and ventilation on board. These rules are only binding upon British ships proceeding to North America.

"3. The length of the voyage to North America is, for the purposes of the law, to be computed at ten weeks.

"4. Parties contracting to provide emigrants with passages to North America, are bound to give contract tickets in a prescribed form, containing an acknowledgment for the money received, under a penalty not exceeding £10, and the forfeiture of his License in the case of a passage broker.

"5. Any persons inducing passengers to part with or destroy their contract tickets during the existence of the contract, are liable to a penalty not exceeding £5 in each case.

"6. No vessel proceeding to North America is to carry more than one passenger to every two tons of the registered tonnage of the ship; nor, whatever be the tonnage, more than one passenger to every twelve clear superficial feet of deck on which the passengers live, and one passenger for every thirty superficial feet on the orlop deck. The master is liable to a penalty not exceeding £5 for every person in excess.

"7. In computing these proportions, two children between the ages of one and fourteen are to count as one person. Children under one year are, in no case, to be reckoned.

"8. All ships carrying one hundred or more passengers are to carry a duly qualified surgeon, or, if a surgeon be not carried, the space allotted to each passenger is to be increased from twelve to fourteen clear superficial feet, and every child above one year old is to count as a passenger.

"9. The lower deck of the ship must be not less than one-and-a-half inch in thickness, and properly secured to the hold beams.

" 10. The height between decks is to be six feet at least.

" 11. There must not be more than two tiers of berths, and the bottom of the lower tier must be six inches above the deck. The berths are not to be less than after the rate of six feet in length and eighteen inches in width for each passenger, and to be securely constructed.

" 12. All vessels coming within the Acts are to be surveyed by two or more competent surveyors, to be approved either by the Colonial Land and Emigration Commissioners, or by the Commissioners of Customs, and are to be reported seaworthy and in all respects fit for the intended voyage.

" 13. Sufficient boats are to be taken in the ship according to the following scale :—

				Boats.
When the tonnage is more than 150 but less than 250	tons.	2		
"	"	250	"	500
"	"	500	and upwards,	
and the number of passengers exceed 200)				" 4

One of the boats must be a long boat of a proper size.

" 14. No ship is to be allowed to clear out until properly manned with a full complement of men.

" 15. At least three quarts of water are to be issued daily to each passenger, and a supply of provisions, not less often than twice a week, at the rate of seven pounds of bread, biscuit, flour, oatmeal, or rice, per week, half at least to be bread or biscuit, the other half may be potatoes, at the rate of five pounds of potatoes for one pound of such bread stuffs. The Colonial Land and Emigration Commissioners, acting under the authority of the Secretary of State, may substitute for any of these articles of food such other articles of food as they may think fit.

" 16. The food and water for the use of the passengers are required to be provided and put on board at the expense of the owner or charterer of the ship, and are to be of a quality to be approved by the emigration officer or his assistant at the port of clearance ; if there is no such officer, then by the officer of customs.

" 17. No gunpowder, vitriol, or green hides, are to be taken as cargo.

" 18. Vessels carrying one hundred or more passengers must, under a penalty not exceeding £50, be provided with a ship's cook engaged for the passengers, a proper cooking apparatus, and a convenient place set apart for cooking. The whole to be subject to the approval of the Government authorities at the port.

"19. A proper supply of medicines is to be provided for the voyage, and no ship is to proceed until the medicine chest and passengers have been inspected by a medical practitioner, and a certificate granted by him that the medicines, &c., are sufficient and the passengers are free from infectious disease.

"20. All passengers who may be discovered to be affected with any infectious disease, either at the original port of embarkation, or at any port in the United Kingdom into which the vessel may subsequently put, may be re-landed, with those members of their families, if any, who may be dependent on them, or unwilling to be separated from them.

"21. Passengers re-landed are entitled to receive back their passage money, which may be recovered from the party to whom it was paid, or from the owner, charterer, or master of the ship, by summary process, before two or more justices of the peace.

"22. Any person failing to obtain a passage in the terms of their contract ticket, are entitled to be provided with a passage by some equally eligible ship, within a reasonable time, and in the mean time to be maintained at the contractor's expense. In default of this, they may recover from the contractor, or from the owner, charterer, or, in case of any accident or default after the voyage has begun, from the master of the ship, any passage money they may have paid, together with compensation for the inconvenience they have incurred. In case this breach of contract shall arise from any accident happening to the ship on her voyage, the compensation is limited to £5; in other cases it is not to exceed £10.

"23. If the ship does not sail on the day named in the contract ticket, the passengers are entitled to be victualled on board, in the same manner as if the voyage had commenced. But if the detention (except caused by wind or weather) exceed two clear working days, the passengers have the option of receiving, instead, 1s. per diem.

"24. Ships that, after sailing, may put into any port of the United Kingdom, must have their provisions and water replenished before they can be allowed again to sail, under a penalty not exceeding £100.

"25. Passengers are at all times during the voyage (weather permitting) to have free access to and from the between decks by each hatchway situate over the space appropriated to their use.

"26. Such regulations as may be prescribed by Order of the Queen in Council, are to be enforced by the surgeon, or, in the absence of a surgeon, by the master. Any person neglecting or

refusing to obey them will be liable to a penalty of £2 ; and any person obstructing the master or surgeon in the execution of any duty imposed on him by the Order in Council will be liable to the same penalty, and, moreover, to two months' imprisonment at the end of the voyage.

" 27. The sale of spirits on board to the passengers is prohibited, under a penalty not exceeding £100.

" 28. Two copies of the Acts, with such abstracts of them, and of any Order in Council relating to them, as the Colonial Land and Emigration Commissioners may prepare, are to be delivered to the master, who is bound, under a penalty not exceeding 40s. per diem, to keep copies of such abstract posted up in at least two conspicuous places between the decks, so long as any passengers are entitled to remain on board. Any person displacing or defacing this abstract is liable to a penalty not exceeding 40s.

" 29. Passengers are not to be landed against their consent, at any place other than the one contracted for.

" 30. Passengers are to be maintained on board for forty-eight hours after arrival, unless the ship, in the prosecution of her voyage, quits the port sooner.

" 31. All penalties imposed by the three Acts are to be recovered before two or more justices of the peace, to the use of Her Majesty. They can only be so recovered in the United Kingdom by the Emigration officers, or by the officers of Her Majesty's customs ; and, in the British possessions abroad, by those officers, or any other person duly authorised for the purpose by the Governor of the Colony.

" 32. Passengers themselves, however, or the Emigration officers on their behalf, may recover by a similar process any sum of money made recoverable by the Acts, to their own use, as return of passage money, subsistence money, or compensation money ; and in such cases, the complainants are not to be deemed incompetent witnesses.

" 33. The right of passengers to proceed at law for any breach of contract is reserved."

These regulations define and prescribe the duties of owners and charterers of vessels to the passengers. As all duties imply rights, they are on the other hand empowered to enforce certain regulations among the Emigrants for the purpose of preserving *order*, and securing *cleanliness* on board these

vessels. These regulations are contained in orders of Council, of which we subjoin an authorized abstract :—

“ 1. Every passenger to rise at 7 A.M., unless otherwise permitted by the surgeon ; or, if no surgeon, by the master.

“ 2. Breakfast from 8 to 9 A.M., dinner at 1 P.M., supper at 6 P.M.

“ 3. The passengers to be in their beds at 10 P.M.

“ 4. Fires to be lighted by the passengers' cook at 7 A.M., and kept alight by him till 7 P.M. ; then to be extinguished, unless otherwise directed by the master, or required for the use of the sick.

“ 5. The master to determine the order in which the passengers shall be entitled to the use of the fires for cooking. The cook to take care that this order is preserved.

“ 6. Three safety lamps to be lit at dusk ; one to be kept burning all night in the main hatchway, the two others may be extinguished at 10 P.M.

“ 7. No naked light to be allowed at any time, or on any account.

“ 8. The passengers, when dressed, to roll up their beds, to sweep the decks (including the space under the bottom of the berths), and to throw the dirt overboard.

“ 9. Breakfast not to commence till this is done.

“ 10. The sweepers for the day to be taken in rotation from the males above 14, in the proportion of five for every one hundred passengers.

“ 11. Duties of the sweepers to be to clean the ladders, hospitals, and round houses, to sweep the decks after every meal, and to dry-holystone and scrape them after breakfast.

“ 12. But the occupant of each berth to see that his own berth is well brushed out.

“ 13. The beds to be well-shaken and aired on deck, and the bottom boards, if not fixtures, to be removed and dry-scrubbed and taken on deck, at least twice a-week.

“ 14. Two days in the week to be appointed by the master as washing days, but no clothes to be washed or dried between decks.

“ 15. The coppers and cooking vessels to be cleaned every day.

“ 16. The scuttles and stern ports, if any, to be kept open (weather permitting) from 7 A.M. to 10 P.M. and the hatches at all hours.

“ 17. Hospitals to be established, with an area, (in ships carrying one hundred passengers) of not less than 48 superficial feet, with two or four bed-berths, and in ships carrying two hundred passengers, of not less than 120 superficial feet, with six bed-berths.

" 18. On Sunday the passengers to be mustered at 10 A.M. when they will be expected to appear in clean and decent apparel. The day to be observed as religiously as circumstances will admit.

" 19. No spirits nor gunpowder to be taken on board by any passenger. Any that may be discovered to be taken into the custody of the master till the expiration of the voyage.

" 20. No loose hay or straw to be allowed below.

" 21. No smoking to be allowed between decks.

" 22. All gambling, fighting, riotous or quarrelsome behaviour, swearing, and violent language, to be at once put a stop to. Swords and other offensive weapons, as soon as the passengers embark, to be placed in the custody of the master.

" 23. No sailors to remain on the passenger deck among the passengers except on duty.

" 24. No passenger to go to the ship's cookhouse without special permission from the master, nor to remain in the forecabin among the sailors on any account."

There is a separate code of regulations for the government of the emigrant ships proceeding to Australia and the Colonies, to which free passages are granted by the Commissioners, but it will be better to give them when we come to describe the Colonies to which these regulations apply.

It may, however, be stated, that, though the regulations as to the proportion of passengers to tonnage, and the available space on the decks, apply specifically only to the passenger ships proceeding to our North American Colonies, the Commissioners punctually enforce them in the case of all ships under their control. The 'CLIFTON,' bound for Port Phillip and Sydney, was, we know, detained four days at Gravesend, when the agent discovered that there were two or three passengers more on board than the prescribed number that the regularly allotted space would accommodate between decks. Some of these passengers had, in consequence, to leave the vessel, and an extra berth had to be fitted up for the only one allowed to proceed in the cabin, which alone offered the vacant space required for his accommodation.

The general administration of the laws affecting Emigration and Emigrants is entrusted to a Board entitled the "Colonial Land and Emigration Commissioners," the office of which is

at 9, Park Street, Westminster—S. Wallcott, *Secretary*. The Commissioners receive periodical reports from the Colonial authorities and agents, which are annually presented to Parliament, and they publish a yearly abstract of the more important points of information for the instruction and guidance of intending Emigrants.

The practical enforcement of the preceding regulations, is committed to the following Government Emigration Agents in the United Kingdom :—

Lieut. LEAN, R.N., London, (Office, 70, Lower Thames Street.)

Lieut. HODDER, R.N., Liverpool.

Lieut. CAREW, R.N. Plymouth.

Lieut. FORREST, R.N., Glasgow and Greenock.

Lieut. HENRY, R.N., Dublin.

Lieut. FRIEND, R.N., Cork.

Lieut. STARK, R.N., Belfast.

Mr. LYNCH, R.N., Limerick.

Lieut. SHUTTLEWORTH, R.N., } Sligo, Donegal,

Lieut. MORIARTY, R.N., } Ballina, &c.

Lieut. RAMSAY, R.N., Londonderry.

Comr. ELLIS, R.N., Waterford.

These officers act under the immediate directions of the Colonial Land and Emigration Commissioners, and the following is a summary of their duties:—

They procure and give gratuitously information as to the sailing of ships, and means of accommodation for emigrants; and, whenever applied to for that purpose, they see that all agreements between ship-owners, agents, or masters, and intending emigrants, are duly performed. They also see that the provisions of the Passengers' Act are strictly complied with, viz., that passenger-vessels are sea-worthy, that they have on board a sufficient supply of provisions, water, medicines, &c., and that they sail with proper punctuality.

They attend personally at their offices on every week day, and afford gratuitously all the assistance in their power to protect intending emigrants against fraud and imposition, and to obtain redress where oppression or injury has been practised on them.

Besides these officers, Government Immigration Agents



have been appointed in the Colonies, whose duties are to afford gratuitously to Emigrants every assistance in their power by way of advice and information as to the districts where employment can be obtained most readily, and upon the most advantageous terms, and also as to the best modes of reaching such districts.

The last official list of these agents issued by the Commissioners is as follows :—

## NORTH AMERICAN COLONIES.

CANADA.	{	<i>Quebec</i> .—A. C. BUCHANAN, Esq. Chief Agent for Eastern (Lower) Canada.	
		<i>Montreal</i> .—J. WEATHERLY, Esq.	
		<i>Kingston</i> .—A. B. HAWKE, Esq. Chief Agent for Western (Upper) Canada.	
		<i>Toronto</i> .—D. R. BRADLEY, Esq.	
		<i>Port Hope &amp; Cobourg</i> .—ANTHONY HAWKE, Esq.	
		<i>Hamilton</i> .—J. H. PALMER, Esq.	
NEW BRUNSWICK.	{	<i>St. John</i> .—M. H. PERLEY, Esq.	
		<i>St. Andrew's</i>	
		<i>Chatham</i> (Miramichi)	
		<i>Bathurst</i>	
		<i>Dalhousie</i>	
		<i>Ricibucto</i>	
			The Deputy Treasurers at these ports act as Agents for the present.

In the other North American Colonies there are no Government Agents yet appointed.

WEST INDIES.	{	<i>Jamaica</i> .—D. EWART, Esq.	
		<i>British Guiana</i> .—W. HUMPHREYS, Esq.	
		<i>Trinidad</i> .—THOMAS F. JOHNSTON, Esq.	
SIERRA LEONE.	{	LOGAN HOOK, Esq., Government Emigration Agent.	
		R. J. FISHER, Esq., Emigration Agent for the West Indian Colonies.	

## AUSTRALIAN COLONIES.

NEW SOUTH WALES.	{	<i>Sydney</i> .—F. L. S. MEREWETHER, Esq.	
	{	<i>Port Phillip</i> .—J. PATTERSON, Esq.	
VAN DIEMAN'S LAND :— <i>Launceston</i> .—W. R. PUGH, Esq.			
WESTERN AUSTRALIA :— <i>Perth</i> .—D. S. MURRAY, Esq.			
SOUTH AUSTRALIA :— <i>Adelaide</i> .—T. LIPSON, Esq., (Acting.)			
NEW ZEALAND :— <i>Auckland</i> .—DAVID ROUGH, Esq.			

## CHAPTER II.

*Arrival at the Port of Embarkation.—Lodging-houses in Liverpool and London.—Preparations for the Voyage.—Rules for Personal Conduct during its Continuance.—‘Getting under Weigh.’—Departure for THE GOLDEN LAND.*

To those brought up in an inland county or town, the first sight of a maritime port must be as bewildering as it is novel. The prominent characteristics of all are essentially the same—though of course the effect is materially enhanced when they are presented upon a large scale, as in London or Liverpool, the two ports from whence the principal stream of Emigration flows abroad. Even to the denizen of other districts of the vast metropolis, a visit to Tower Hill and the long line of docks, wharves, warehouses, factories, and shipping which line the Thames downwards as far as Blackwall, produces as strong an impression as if he were to visit Liverpool, Hull, or Bristol. All is strange, and marked with a distinct and peculiar character, which draws a strong line of separation between that district and the other parts of London.

The docks are huge basins of water, in which large ships can lie afloat at all seasons of the tide ; and the long quays at which they are moored are flanked by open sheds into which the merchandise is first received, and undergoes the Custom House inspection, previous to being deposited in the lofty and capacious ranges of warehouses which extend in every direction for its reception and stowage. As a sample of the extent and accommodation of these docks, it may be stated that one of them, the London Docks, can accommodate 500 ships, and the warehouses will contain 232,000 tons of goods. The entire structure cost £4,000,000 of money. The tobacco warehouses alone cover five acres of ground. The walls surrounding the dock cost £65,000. One of the wine vaults has an area of seven acres, and in the whole of them is room for stowing 60,000 pipes of wine.

The courts and alleys round about the dock swarm with low lodging-houses, and are inhabited either by the dock-labourers,

sack-makers, watermen, or that peculiar class of London poor who pick up a precarious living by the water-side. The open streets themselves have all, more or less, a maritime character. Every other shop is either stocked with gear for the ship or for the sailor. The windows of one house are filled with quadrants and bright brass sextants, chronometers, and huge mariners' compasses, with their cards trembling with the motion of the cabs and waggons passing in the street. Then comes the sailor's cheap shoe-mart, rejoicing in the attractive sign of "Jaek and his Mother." Every public-house is a "Jolly Tar," or something equally taking. Then come sail-makers, their windows stowed with ropes and lines smelling of tar. All the grocers are provision agents, and exhibit in their windows tin cases of meat and biscuits, and every article is warranted to keep in any climate. The corners of the streets, too, are mostly monopolized by slopsellers, their windows party-coloured with bright red and blue flannel shirts, the doors nearly blocked up with hammocks and well-oiled "sou'-westers," and the front of the house nearly covered with canvas trousers, rough pilot coats, and shiny black dreads. The passengers alone tell you that you are in the maritime districts of London.

As you enter the dock, the sight of the forest of masts in the distance, and the tall chimnies vomiting clouds of black smoke, and the many-coloured flags flying in the air, have a most peculiar effect; while the sheds, with the monster wheels arching through the roofs, look like the paddle-boxes of huge steamers. Along the quay you now see men with their faces blue with indigo, and now gaugers with their long brass-tipped rules dripping with spirit from the casks they have been probing; then will come a group of flaxen-haired sailors, chattering German; and next a black sailor, with a cotton handkerchief twisted turban-like around his head; presently a blue-smocked butcher, with fresh meat and a bunch of cabbages in the tray on his shoulder, and shortly afterwards a mate with green parroquets in a wooden cage. Here you will see sitting on a bench a sorrowful-looking woman, with new bright cooking tins at her feet, telling you she is an emigrant preparing for her voyage. As you pass along this quay the air is pungent

with tobacco—at that it overpowers you with fumes of rum. Then you are nearly sickened with the stench of hides and huge bins of horns, and shortly afterwards the atmosphere is fragrant with coffee and spice. Nearly everywhere you see stacks of cork, or else bins of yellow sulphur or lead-coloured copper ore. As you enter this warehouse, the flooring is sticky, as if it had been newly-tarred, with the sugar that has leaked through the casks, and as you descend into the dark vaults you see long lines of lights hanging from the black arches, and lamps flitting about midway. Here you sniff the fumes of the wine, and there the fungus smell of dry-rot. Then the jumble of sounds as you pass along the dock blends in anything but sweet concord. The sailors are singing boisterous nigger songs from the Yankee ship just entering; the cooper is hammering at the casks on the quay; the chains of the cranes, loosed of their weight, rattle as they fly up again; the ropes splash in the water, some captain shouts his orders through his hands; a goat bleats from some ship in the basin; and empty casks roll along the stones with a hollow drum-like sound. Here the heavy-laden ships are down far below the quay, and you descend to them by ladders, whilst in another basin they are high up out of the water, so that their green copper sheathing is almost level with the eye of the passenger, while above his head a long line of bowsprits stretch far over the quay, and from them hang spars and planks as a gangway to each ship.

Such are the scenes and sounds which greet the Emigrant, on his first introduction to the port of embarkation. If he has been all his life brought up in an agricultural or manufacturing inland district, it will require some nerve and firmness to avoid being confused by the unusual bustle and the strangeness of everything around him, and thus falling a prey to the sharks who frequent such quarters for the purpose of deceiving and plundering the uninformed and the unsuspecting.

The facilities given to such unprincipled and dishonest persons for carrying on their nefarious pursuits, are greatly increased by the absence of any well-devised general arrangements under responsible superintendence for lodging emigrants until the period for embarking arrives. In all cases there must

be a longer or shorter detention calculated upon. If the tide of emigration is to continue flowing with anything like the same volume and depth, no more useful or laudable object could engage the attention or employ the energies of the philanthropist than the producing of well-regulated Emigrant Lodging Houses in the vicinity of the Docks from whence the emigrant vessels generally sail. The admirable Model Lodging Houses erected under the auspices of the Society for Improving the Dwellings of the Poorer Classes, might be taken as our example and guide, both as to construction and management; and if they were, there is every reason to believe, that, even as an investment for capital, such Emigrant Lodging Houses would prove amply remunerative.

Feeling strongly on this point, we instituted extensive inquiries with the view of giving accurate and useful information to the intending emigrants upon a subject which, at the very out-set, will occasion him no small amount of trouble, vexation, and possibly loss. From an eminent merchant in Liverpool, who has, during a long life, taken a deep and active interest in the welfare of the industrious classes, and who possesses an extensive knowledge of Canada, New Brunswick and the United States, we received the following letter, which conveys much valuable information on the subject:—

“As to Liverpool, there are great numbers of crimps and sharpers, and lodging-house keepers, who take every advantage to cheat, rob, and betray poor simple men who come here for embarkation, and I have no doubt it is the same in London, and in every other port of the Kingdom. In the same manner they have to encounter the counter-parts of these rascals on the other side as soon as, or before, they have landed, and who promise and express all kinds of disinterested friendship and assistance, in order to get them into their clutches.

“Strangers coming here to embark, cannot do better than apply, in the first instance, on arrival in Liverpool, to the Government Emigration Agents, whose office is near the north-end of Prince’s Dock, and ask their opinion as to the emigrant vessels that are in port, their sea-worthiness, accommodation for passengers, and the best way of bargaining for passage money, &c.

“I am not acquainted with the lodging-house keepers for Emigrants

in Liverpool, but I think they would be likely to get the best advice at the Bethel Union Offices, at the Offices of the Superintendents of Police, and there are several of the Emigration Agents here who are very respectable men, and who would inform them where they might get lodgings during their stay in this port. Mr. John Taylor Crooks is one of these, Messrs. Harnden and Co. another, and there is also the firm of Messrs. Grimshaw and Co., all very respectable.

“ In the United States, there are, at most of the ports, Societies for the Protection of Emigrants, who will give them every needful advice and assistance in getting from the port to their destination, and will also direct them to the best lodgings during their stay. There is such a society in Boston and another in New York. I do not know as to the other ports in the United States. In every town of importance in the United States, there are large hotels where excellent board and lodging can be had ; four excellent meals in the day for a dollar per day, about 4s. 2d. of our money ; if taken by the week, it will be cheaper than this ; in the interior, you even have board and lodging at these hotels for less than seventy-five cents, or about 3s. : for those who can afford it, and like comfort, I would recommend these large hotels ; many single men, and even families, prefer living at these hotels constantly, in preference to private lodgings or establishments of their own, as being both better and cheaper.

“ In the British North American Colonies, the Canadas, New Brunswick, &c., there are Government officers and offices, whose business it is to furnish assistance and advice gratis to newly-arrived emigrants, from whom they can obtain any information they require and I believe they do their duty faithfully.

“ After all, a great deal must depend upon the prudence and common sense of the emigrants themselves, for no advice you can give will make fools wise. I would advise all emigrants on coming into port, to let their luggage remain on board till they have found lodgings, and know the means and time of getting forward to their destination.’

Another gentleman, who has had extensive practical experience in shipping emigrants, has favoured us with the following description of the perils which beset them in Liverpool :—

“ God help the thoughtless and inexperienced, if they come to ship here ! I think it would be extremely difficult for a man to get into Liverpool without being set upon by a lodging-house keeper, or a rummer connected either with them, or with hotels and public-houses ;

then the coach and car-drivers, omnibus-drivers, together with guards and porters at the railways, all—all are on the look-out. Now every one of these will take you to the very best ship, captain, agent, stores, or lodgings. It is a matter of business with them, and of course they make the most of an Emigrant. I would say there are some honest, respectable persons amongst them, but they are very scarce. The lodging-house keepers book most in the transit ships, so as to prolong their stay in Liverpool, but all will take an Emigrant to the agent or stores where they can get the greatest per centage.

“ Respecting lodging-houses, an Emigrant may lodge in an hotel or in a cellar if left to himself to choose, and of course he would act according to circumstances ; but these runners of all grades—guards, coachmen, carmen, boatmen, and various persons connected with Emigrant Agents’ Offices, are all connected with lodging-houses, or, very probably, keep lodging-houses themselves. Runners get a per-centage for every lodger they take, as also a per-centage for shipping and provision, so that I think it next to impossible an Emigrant should escape.

“ There wants some plan or system brought into practice, which would protect the poor Emigrant. I think it is possible to effect such an object. There might be a Government depot in Liverpool, conducted by Government officers, where all parties might apply, and have the best information, and be also supplied with lodgings, &c., under a proper system of license, similar to the lodging-houses in Cambridge. Of course it would be a monopoly, but it would give more advantages to the Emigrant than the present system. It is very difficult to recommend any plan to an Emigrant. If the Emigrant has a friend in Liverpool, whose time and knowledge will enable him to inquire and judge, I would say that is his best course ; the next is to write to the principal agent (if that can be ascertained) ; he will then pay a market price for his passage, and must take “ pot luck.” Every ship has the best captain, best accommodation, and is the best sailer ; but, once make a deposit of 20s. per head, and then you must go as it suits them, and you are unprovided with lodging or provision till the ship is dispatched.”

Lieut. Lean, the intelligent, active, and courteous Government Agent for the Port of London, is at all times ready to give information upon all such questions as come under his cognizance. His statements to us as to the deficiency of proper lodging accommodation, agree in the main with

those contained in the preceding letter, though he is of opinion that emigrants from London are not subject to the same extent of unprincipled rapacity as they are in Liverpool.

In the case of free and assisted Emigrants to the British Colonies, they are received and boarded at a depot provided for that purpose at Deptford. They are informed of the day the vessel is to sail, time enough to enable them to reach London on the day previous. On reaching the depot, they are divided into messes, and supplied with the mess utensils necessary for the voyage, and the various stores served out by the Government. In the formation of these messes, care is had to group them according to family connexion or the friendship and intimacy subsisting between the parties. All the necessary arrangements for their reception on board are completed before the emigrants embark from the depot, by which much confusion and inconvenience is avoided.

When we come to discuss the situation, extent, and capabilities of the Colonies to which free and assisted Emigrants are at present sent out, we shall give full particulars as to the various Emigration Establishments under the direction of the Government; the class of persons who are eligible for free or assisted passages; and instructions how that assistance is to be obtained. At present it is sufficient to state that the assistance thus given is provided by the Colonies from the sale of lands, or by subscriptions for that purpose. The superintendence of the arrangements for selecting and despatching the Emigrants from this country, are entrusted to the Land and Colonial Commission. This description of Emigration is at present somewhat limited, and is confined to one or two of the Australian Colonies, New Zealand, and the new settlement at Natal in South Africa.

In the case of the regular "liners" between London and the great ports of the United States, and for which the highly respectable house of Phillips, Shaw and Lowther, are agents, a depot for emigrants is provided during the months when the stream of emigration is largest, but it is closed in winter. As a general rule, it may be stated, that the London brokers engaged in the regular passenger trade, may be fully trusted for honour and punctuality in the fulfilment of their engage-



ments ; and it is therefore advisable that intending emigrants should, in all cases where it is practicable, make definite arrangements with respectable houses before finally breaking up their homes and coming to the port of embarkation. On their arrival they will thus have the advantage of practical and business-like counsel as to the course to be pursued on points where there is doubt or want of proper information. The emigrant himself will find, that, however carefully he may have calculated and provided for the necessities and the contingencies of the passage, at the last moment many things are then necessarily wanting. Some of them, indeed, will only be discovered in many instances after he has been on board and seen with his own eyes the place which is to be a home for weeks or months according to his destination. Vessels that sail from London have an advantage in this respect. They are generally floated out of the docks, and towed down the Thames by a steam tug one or two days before sailing. This gives the passengers an opportunity of going ashore at Gravesend and making many little purchases, the necessity for which even that short experience on ship-board has shown.

Emigrant vessels from this country to California, generally take the long sea voyage round Cape Horn, which occupies about six months. The saving of time which might be effected by landing at Chagres, and crossing the isthmus of Panama, would be more than counter-balanced by the inconvenience of shifting luggage, and running the chance of finding an immediate conveyance, besides the additional expense and risk.

These vessels provide accommodation for three classes of passengers—cabin, intermediate, and steerage—the cabin passage is charged £60. If a whole state-room is engaged by one person £80. These rates include “a first-rate table,” with wines, spirits, &c. The intermediate passage is £40, and the steerage passage £20, inclusive of provisions upon a fixed scale, copies of which are supplied to the passengers, and the owners generally submit the provisions to the inspection of the Government Surveyors. The following is the usual dietary table on board these ships :—

## FOR EACH ADULT INTERMEDIATE PASSENGER.

(ISSUED WEEKLY.)

1 lb. of Preserved Meat	$\frac{1}{8}$ lb. of Tea
1 „ Soup and Bouilli	$\frac{1}{4}$ „ Coffee
1 pint assorted Soups	$\frac{1}{2}$ „ Butter
1 lb. of Tripe	$\frac{1}{2}$ „ Cheese
1 „ Ham	1 „ Raisins
1 „ Salt Beef or Pork	$\frac{3}{4}$ „ Suet
1 „ Rice	$\frac{1}{2}$ pint of Pickles or Vinegar
4 „ Bread	$\frac{1}{2}$ oz. of Mustard
3 „ Flour	$\frac{1}{2}$ „ Pepper
$\frac{1}{2}$ pint Peas	1 „ Salt
$\frac{1}{2}$ „ Oatmeal	7 lbs. of Potatoes, or one lb.
1 „ Preserved Milk	of Preserved ditto.
1 lb. Sugar	21 quarts of Water

The dietary for steerage passengers is similar, with the exception that it does not include the assorted soups, ham, tripe, and preserved milk. There is also a smaller allowance of some articles; as, for instance, three quarters instead of a pound of sugar, and two pounds of potatoes, or half a pound of preserved potatoes, instead of seven pounds, and one pound respectively.

When Fresh Beef is issued, one pound to each Adult per day is allowed, there is no Flour, Rice, Raisins, Peas, Suet, or Vinegar, during the issue of Fresh Meat.

Children above 1 and under 14 years of age are victualled and charged for in the proportion of one-half of the above Scales of Provisions and rates of charges.

Each Intermediate and Steerage passenger must be provided with the following utensils, viz.: a knife and fork, a table and a tea spoon, a metal plate, a hook pot, a drinking mug, and Bedding.

The ordinary freight is £5 a ton, at which all goods taken by passengers are charged, excepting half a ton allowed for cabin passengers, and a quarter of a ton for intermediate and steerage passengers.

The arrangement of the berths and sleeping accommodation on board these vessels, intended as they are for a long voyage, are much superior to those in the passenger ships to the United States or the British North American Colonies. Separate berths, boarded off from each other, and containing a specified number of beds, run the whole length of the

“ ’tween decks ” on each side. The portion of the deck aft the mainmast is allotted to intermediate, and the fore part to steerage passengers. The only difference is, that there are fewer beds in each berth in the part occupied by the intermediate passengers. By this arrangement families or personal friends can ensure separate sleeping and dressing accommodation. A table extends down the centre, with fixed seats on each side, the portion opposite each berth being set apart for taking the meals of the occupants.

With respect to the stock of clothing and other necessities to be taken by each Emigrant, it should be provided for both very hot and very cold weather, and in such abundance as a six months' voyage requires. The general instructions issued by the Government Commissioners to Emigrants for the Australian Colonies, may be taken to apply with few alterations to the Emigrants to California.

In the case of vessels bound to British Colonies, a certain amount of provisions are supplied on board according to a scale laid down by the Government Commissioners. The minimum quantity of clothing and bedding to be taken by each passenger is also prescribed.

The following is the victualling scale on board Government Emigrant ships to the Australian Colonies, for adults. Women receive the same rations as men. Children, between one and fourteen, receive one-half.

“ Two-thirds of a pound of biscuit daily: one-quarter of an ounce of tea on Sunday, Tuesday, Thursday, and Saturday. On Monday, Wednesday, and Friday, half-an-ounce of coffee. Three-quarters of a pound of sugar weekly, and six ounces of butter. For dinner on Sundays, half-a-pound of preserved meat, a quarter of a pound of flour, two ounces of raisins, and an ounce and a-half of suet for a pudding, together with half-a-pound of preserved potatoes. A quarter of a pound of flour is served out daily. On Monday, Wednesday, and Friday, the dinner rations are—half-a-pound of pork, one-third of a pint of peas; on Tuesday and Thursday, half-a-pound of beef, and the allowance for pudding already stated; thus giving pork three times a week, and beef twice, throughout the voyage. Three quarts of water are allowed daily for culinary and personal use. Half-a-pint of vinegar, half-an-ounce of mustard, and two ounces of salt, are allowed weekly.”

Much of the comfort of the voyage will depend on the behaviour of the Emigrants to each other, and the tact and good humour with which they submit to the disagreeable circumstances under which for the time being they are necessarily placed. An intelligent working-man, who emigrated to America, very graphically describes some of the things that affect Emigrants, few of whom have ever before had any experience of a sea life:—

“ For instance, the anxiety which attends upon cooking in blowing weather ; in nine cases out of ten the down-draught from the fore-sail descends the galley-funnel, which then smokes at the wrong end ; or sudden gusts play such pranks with the ‘ blacks ’ that gruel, or any other potion requiring to be constantly stirred, in an instant becomes of a very dingy and equivocal appearance, taxing severely the patience of the operator, whose eyes smart from the smoke ; and then, while vexed and half-blinded, a heavy sea breaks over the bows, drowns the fire and away go pots and kettles, pork and pudding, rolling in all directions over the sloppy and greasy decks. Should none of these particular mishaps occur, the strong draught sends up such sharp tongues of flame that curl round the vessels on the fire, and insidiously eat away the solder, or pierce holes in the sides, or the handles come off when lifted, so that in any case you seem doomed to lose your dinner ; an incident which grievously disturbs one’s equanimity. Nothing *but cast iron can be depended on for economy or safety*. Much tact and fore-sight are required in the matter of cooking on board ship, so many have to be served, and all generally want to have their kettles boiled at once ; fortunately the use of the ship’s coppers is seldom refused, and in these, pieces of beef or pork, with cabbage nets filled with potatoes, are suspended, at the outer extremities of which wooden labels are attached marked with the owner’s initials, and as but little ceremony is used at sea, it is no uncommon sight to see each one running off with his dinner dangling at the end of a string. Sometimes an unlucky lurch of the ship will send the whole party sprawling on the deck before they can reach their berths, when they are saluted with shouts of laughter.”

The same writer thus describes his own mode of proceeding on board :—

“ My own plan was to rise early and prepare our meals an hour in advance of our fellow-passengers, by which means I avoided all the irritation and inconvenience of a crowd. After breakfast the children were made ready for an airing on the deck when the weather permitted; then, if it were washing day, I fastened the wet clothes to a cord and stretched them to dry in the main rigging. Sometimes, if it was blowing weather, I took a turn at the washing tub myself, and when these domestic matters had been accomplished, I sat for an hour or two on the deck, or in our berth below, according to the state of the weather, with a French grammar, and mastered most of the genders and idioms of that language. With the approach of noon further culinary operations again demanded attention; water had to be drawn from alongside for cleaning and cooking; then the little variety of our food induced all sorts of contrivances to make a change; the appetite recoils from the constant salt provisions; after repeated trials we found the most palatable dish to be rashers of bacon buried in slices of potatoes and baked; the earthy taste and pieces of the potatoes corrected the pungency of the salt meat.”

The late William Cobbett, in his ‘Guide to Emigrants,’ gives some admirable rules for personal conduct, based on his own experience and expressed in his own racy and inimitable style. He says :—

“ While on board you should pay great attention to the alarms of your wife: as for yourself, you must get over them as you can; but it will be necessary for you to be ready on all occasions to allay her fears, and to cheer her up. The howling of the wind through the shrouds of the ship; the sudden calling up the hands on the deck in a dark night; the rattling upon the deck by the falling of ropes and the hand pikes; the trampling of the feet of the sailors; the bawling of the speaking trumpet to overcome the roaring of the wind, and the doleful answer of the sailors in the shrouds, in a tone of voice just the contrary from that of cheering; in times like these, be you very watchful, very attentive; tell her it is nothing; go upon deck,

if you can, and if you cannot, cheer her by telling the truth: make the best of the matter, at any rate; for Dr. PALEY said that it is not lying to tell a madman falsehood in order to prevent him from doing mischief; and then I am sure it is not lying for you, while you pat your wife's cheek, and affect to laugh, to tell her that the captain says that there is not the least danger, and that the ship is going on at a famous rate, though, perhaps, he has told you to get down below, and keep out of the way of him and his men, and has given you no sort of answer to your inquiries about dangers. The dangers, when they happen to take place are, in fact, very soon over in general; you laugh at what alarmed you, and you have prevented your wife from being very much alarmed, and that is a duty by no means to be neglected; but always bear in mind, that, in every part of the ship, the danger is the same.

"Children, too, if they be of an age to estimate danger, or to understand others when they talk of it, are not to be neglected, especially if they be girls; for these early frights have frequently a great effect, not only upon their minds, but upon their bodies.

"There is one thing which, though it may appear to be a trifle, is, nevertheless, worthy of your attention; and it is this, not to show, while you are on board, an extraordinary degree of anxiety for the termination of the voyage; endeavour to feel this anxiety as little as you can; be thinking less about the voyage than about what you are to do after it is over. Eternal questions to the captain about the latitude and longitude in which he is; about the *way* that he has made, and about the time when he thinks that the ship will arrive; these are all very disagreeable to him and his mate; who will not like you (the cabin passenger) for seeming to be in such *indescribable haste to get out of their company*. *They* like the ship; *they* can see no reason for disliking her; *they* know her to be the best piece of stuff that ever swam upon the water; *they* look upon the cabin as a paradise; and, think what you will of the matter, they will like you none the better for expressing, by fair implication, your dislike of their ship and their company. And, as to you (steerage passenger) bait not the poor sailors with your questions of the same sort; for they, instead of

wishing the voyage to be short, always wish it to be long ; and, instead of wishing for fair weather and smooth seas, always wish the former to be moderately foul, and the latter moderately rough ; and are never so happy as when tied by ropes to the bulwarks for fear of being washed overboard, and when all the sails and yards are taken down and stowed away, and when the masts are lowered to the lowest possible point. Tied to the bulwarks, they sing like birds in a shrubbery. But, if it be only a gale of wind, they are at work in the shrouds, and incessantly pulling and hauling ; if a fair wind, and gentle breeze, or even stiff breeze, and fine over-head, or if it be a calm without rain, there is plenty of work for them, mending ropes, mending sails, putting things to rights below, washing and scraping the decks ; in short, they are at work. So that their interests induce them to wish precisely for that wind and weather which you dislike, and to wish for a long voyage while you wish for a short one. The captain, and he only of the whole of the ship's company, wishes for a short voyage, which saves him provisions in the cabin ; and he being paid by the voyage, and not by the day.

“ The best way is, not to pester any of them with questions, and not to seem impatient even if you be so. When you approach the land, and get sight of it, it is better not to express (for indeed you cannot, if you would) the pleasure that you will feel. The women and children, especially the former, will express enough upon this subject for themselves and you too. Take it all patiently ; let the ship come quietly to anchor : and be in no hurry to get upon the shore. Give no money for it : the ship will bring you to the edge of the wharf at the next tide, or the next tide but one, and then you can take your family and things on shore without any expense worth speaking of, and save yourself the expense of boats, from which I verily believe more accidents arise, on an average, than from the ships themselves.”

We shall now suppose, that, guided by the information now given, the Emigrant has provided himself both materially and mentally for the voyage before him. The blue Peter is flying, and the hour, which is to bear him from his native land, has at last arrived. There are few opportunities for vain regrets

or sentimental reflections when the "anchor is weighed." The scene is one of bustle and confusion. The deck is crowded with the Emigrants, their families, and their friends who may have come to take leave of them. In every quarter piles of luggage and merchandise, sent in at the last moment, are strewn about the deck. The captain shouts his orders to the sailors, and they obey them with the alacrity and agility peculiar to their class. Merrily rattle the ropes through the blocks, the canvass swells to the breeze, the ship bends to its course, and dashes the white spray from its bows as it "walks the waters like a thing of life." By and bye we reach the open sea, the cliffs fade in the distance, and sky and ocean alone are above and around. That most disagreeable of all "the ills that flesh is heir to"—sea-sickness—has prostrated the passengers, and they recover as they best can without assistance, or at the best but scant attendance. However, all this is but of a few days' duration; things grow better in time; the stomach to eat returns, the blood takes a new flow, the sea air braces, and things settle down into the regular prescribed routine.

Having then undergone the initiatory process and gained our "sea legs," our faces turned to the setting sun, we shall suppose in a ship bound for the "GOLDEN LAND," let us employ our leisure in learning what kind of a country we are going to.







## CHAPTER III.

*Geographical and Topographical Description of California.*

California is a large tract of country, extending along the western coast of the American continent, and included between 22 deg. 30 min. and 40 deg. 50 min. of north latitude. It is composed of two great divisions, Lower and Upper California. Lower California is a long narrow peninsula, extending from Cape St. Lucas, its most southern extremity, to the head of the gulf of California, in 32 deg. north latitude. Comparatively little is known of this region, which has been generally believed to be dreary and inhospitable, and rendered almost uninhabitable by the intense heat and the general absence of water. Later travellers, however, report that there are considerable tracts of well-wooded and well-watered land to be found within its boundaries. It is not likely, however, that the attention of settlers or emigrants will be directed to this division of the country for many years to come.

The district of country, known geographically as Upper California is bounded on the north by Oregon, the forty-second degree of north latitude being the boundary line between the two territories; on the east by the Rocky Mountains and the Sierra de los Mimbres, a continuation of the same range; on the south by Sonora and Old or Lower California, and on the west by the Pacific Ocean. Its extent from north to south is about 700 miles, and from east to west from 600 to 800 miles, with an area of about 500,000 square miles. It is divided into two parts, the Eastern and the Western; the eastern portion lying between the Rocky Mountains on the east, and the great range of the Sierra Nevada on the west. It comprehends five-sixths of the territory of California, as acquired from Mexico by the United States.

The western division of California lies west of the great range of the Sierra Nevada, and between it and the Pacific Ocean.

This Sierra is part of the great mountain range, which, under different names and with different elevations, but with much

uniformity of direction and general proximity to the coast, extends from the peninsula of California to Russian America, and without a gap in the distance through which the water of the Rocky Mountains could reach the Pacific ocean, except at the two places where the Columbia and Frazer's rivers respectively find their passage. This great range is remarkable for its length, its proximity and parallelism to the sea-coast; its great elevation, often more lofty than the Rocky mountains, and its many grand volcanic peaks, reaching high into the region of perpetual snow. Rising singly, like pyramids, from heavily timbered plateaux, to the height of fourteen and seventeen thousand feet above the level of the sea, these snowy peaks constitute the characterizing feature of the range, and distinguish it from the Rocky mountains and others.

That part of the range which traverses the Alta California is called the *Sierra Nevada*, (Snowy mountain)—a name in itself implying a great elevation, as it is only applied, in Spanish geography, to the mountains whose summits penetrate the region of perpetual snow. It is a grand feature of California, and a predominating one, and must be well understood before the structure of the country and the character of its different divisions can be comprehended. It divides California into two parts, and exercises a decided influence on the climate, soil, and productions of each. Stretching along the coast, and at the general distance of 150 miles from it, this great mountain wall receives the warm winds, charged with vapour, which sweep across the Pacific ocean, precipitates their accumulated moisture in fertilizing rains and snows upon its western flank, and leaves cold and dry winds to pass on to the east. Hence the characteristic differences of the two regions; mildness, fertility, and a superb vegetable kingdom on one side, comparative barrenness and cold on the other.

East of the Sierra Nevada, and between it and the Rocky mountains, is that singular feature in the American continent, the Great Basin. It is a basin of some five hundred miles diameter, every way, between four and five thousand feet above the level of the sea, shut in all around by mountains, with its own system of lakes and rivers, and having no connexion whatever with the sea. Partly arid and thinly inhabited, the

general character of the Great Basin is that of desert, but with great exceptions; there being many parts of it very fit for the residence of a civilised people; and the Mormons have lately established themselves in one of the largest and best of these parts. Mountain is the predominating structure of the interior of the Basin, with plains between—the mountains wooded and watered, the plains arid and sterile. The interior mountains conform to the law which governs the course of the Rocky mountains and of the Sierra Nevada, ranging nearly north and south, and present a very uniform character of abruptness, rising suddenly from a narrow base of ten to twenty miles, and attaining an elevation of from two to five thousand feet above the level of the country. They are grassy and wooded, showing snow on their summit peaks during the greater part of the year, and affording small streams of water from five to fifty feet wide, which lose themselves, some in lakes, some in the dry plains, and some in the belt of alluvial soil at the base; for these mountains have very uniformly this belt of alluvion, the wash and abrasion of their sides, rich in excellent grass, fertile, and light and loose enough to absorb small streams. Between these mountains are the arid plains which receive and deserve the name of desert. The rim of the Basin is massive ranges of mountains, of which the Sierra Nevada on the west, and the Wah-satch and Timpanogos chains on the east, are the most conspicuous. On the north, it is separated from the waters of the Columbia by a branch of the Rocky mountains, and from the gulf of California, on the south, by a ridge of mountainous ranges, of which the existence has been only recently determined. Snow abounds on them all; on some, in their loftier parts, the whole year, with wood and grass; with copious streams of water, sometimes amounting to considerable rivers, flowing inwards, and forming lakes or sinking in the sands. Belts or benches of good alluvion are usually found at their base.

*Lakes in the Great Basin.*—The Great Salt lake and the Utah lake are in this Basin, towards its eastern rim, and constitute its most interesting features—one, a saturated solution of common salt—the other, fresh—the Utah about one hundred feet above the level of the Salt lake, which is itself

four thousand two hundred above the level of the sea, and connected by a strait or river, thirty-five miles long.

These lakes drain an area of ten or twelve thousand square miles, and have, on the east, along the base of the mountain, the usual bench of alluvion, which extends to a distance of three hundred miles, with wood and water, and abundant grass. The Mormons have established themselves on the strait between these two lakes, and will find sufficient arable land for a large settlement — important from its position as intermediate between the Mississippi valley and the Pacific ocean, and on the line of communication to California and Oregon, from the United States.

The Utah is about thirty-five miles long, and is remarkable for the numerous and bold streams which it receives, coming down from the mountains on the south-east, all fresh water, although a large formation of rock salt, imbedded in red clay, is found within the area on the south-east, which it drains. The lake and its affluents contain large trout and other fish in great numbers, which constitute the food of the Utah Indians during the fishing season. The Great Salt lake has a very irregular outline, greatly extended at time of melting snows. It is about seventy miles in length; both lakes ranging nearly north and south, in conformity to the range of the mountains, and is remarkable for its predominance of salt. The whole lake waters seem thoroughly saturated with it, and every evaporation of the water leaves salt behind. The rocky shores of the islands are whitened by the spray, which leaves salt on everything it touches, and a covering like ice forms over the water, which the waves throw among the rocks. The shores of the lake in the dry season, when the waters recede, and especially on the south side, are whitened with incrustations of fine white salt; the shallow arms of the lake, at the same time, under a slight covering of briny water, present beds of salt for miles, resembling softened ice, into which the horses' feet sink to the fetlock. Plants and bushes, blown by the wind upon these fields, are entirely incrustated with crystallized salt, more than an inch in thickness. Upon this lake of salt the fresh water received, though great in quantity, has no perceptible effect. No fish, or animal life of any kind, is found

in it; the *larvæ* on the shore being found to belong to winged insects.

Five gallons of water taken from this lake in the month of September, by Col. Fremont, and roughly evaporated over a fire, gave fourteen pints of salt, a part of which being subjected to analysis, gave the following proportions.

	<i>Parts.</i>
Chloride of sodium (Common salt) . . . . .	97.80
Chloride of calcium . . . . .	0.61
Chloride of magnesium . . . . .	0.24
Sulphate of soda . . . . .	0.23
Sulphate of lime . . . . .	1.12
	<hr/> 100.00 <hr/>

Southward from the Utah is another lake, which is the reservoir of a handsome river, about two hundred miles long, rising in the Wah-satch mountains, and discharging a considerable volume of water. The river and lake were called by the Spaniards, *Severo*, corrupted by the hunters into *Sevier*, and named by Col. Fremont *Nicollet*.

On the western side of the basin, and immediately within the first range of the Sierra Nevada, is the Pyramid lake, receiving the water of Salmon Trout river. It is thirty-five miles long, between four and five thousand feet above the sea, surrounded by mountains, is remarkably deep and clear, and abounds with uncommonly large salmon trout. Southward, along the base of the Sierra Nevada, is a range of considerable lakes, formed by many large streams from the Sierra. Lake Walker, the largest among these, affords great numbers of trout, similar to those of the Pyramid lake, and is a place of resort for Indians in the fishing season.

The number of small lakes is very great, many of them more or less salt, and all, like the rivers which feed them, changing their appearance and extent under the influence of the season, rising with the melting of the snows, sinking in the dry weather, and distinctly presenting their high and low water mark. These generally afford some fertile and well-watered land, capable of settlement.

*Rivers of the Great Basin.*—The most considerable river

in the interior of the Great Basin is the one called the Humboldt river, as the mountains at its head are called Humboldt mountains—so called as a small mark of respect to the "*Nestor of scientific travellers*," who has done so much to illustrate North American geography. It is a very peculiar stream, and has many characteristics of an Asiatic river—the Jordan, for example, though twice as long—rising in mountains and losing itself in a lake of its own, after a long and solitary course. It rises in two streams in mountains west of the Great Salt lake, which unite, after some fifty miles, and bears westwardly along the northern side of the basin towards the Great Sierra Nevada, which it is destined never to reach, much less to pass. The mountains in which it rises are round and handsome in their outline, capped with snow the greater part of the year, well clothed with grass and wood, and abundant in water. The stream is a narrow one, without affluents, losing by absorption and evaporation as it goes, and terminating in a marshy lake, with low shores, fringed with bulrushes, and whitened with saline incrustations. It has a moderate current, is from two to six feet deep in the dry season, and probably not fordable any where below the junction of the forks during the time of melting snows, when both lake and river are considerably enlarged. The country through which it passes (except its immediate valley) is a dry sandy plain, without grass, wood or arable soil; from about 4,700 feet (at the forks) to 4,200 feet (at the lake) above the level of the sea; winding among broken ranges of mountains, and varying from a few miles to twenty in breadth. Its own immediate valley is a rich alluvion, beautifully covered with blue-grass, herd-grass, clover, and other nutritious grasses; and its course is marked through the plain by a line of willow and cotton-wood trees, serving for fuel. The Indians in the fall set fire to the grass, and destroy all trees except in low grounds near the water.

This river possesses qualities which, in the progress of events, may give it both value and fame. It lies on the line of travel to California and Oregon, and is the best overland route from the United States, now known, through the Great Basin, and the one travelled by emigrants. Its direction, nearly east and



west, is the right course for that travel. It furnishes a level unobstructed way for nearly three hundred miles, and a continuous supply of the indispensable articles of water, wood, and grass. Its head is towards the Great Salt lake, and consequently towards the Mormon settlement, which must become a point in the line of Emigration to California and the lower Columbia. Its termination is within fifty miles of the base of the Sierra Nevada, and opposite the Salmon Trout river pass—a pass only seven thousand two hundred feet above the level of the sea, and less than half that above the level of the Basin, and leading into the valley of the Sacramento, some forty miles north of Nueva Helvetia.

The other rivers of the Great Basin are found on its circumference, collecting their waters from the Snowy mountains which surround it, and are, 1. Bear river, on the east, rising in the massive range of the Timpanogos mountains and falling into the Great Salt lake, after a doubling course through a fertile and picturesque valley, two hundred miles long. 2. The Utah river and Timpanaozu or Timpanogos, discharging themselves into the Utah lake on the east, after gathering their copious streams in the adjoining parts of the *Wah-satch* and Timpanogos mountains. 3. Nicollet or Sevier river, rising south in the long range of the *Wah-satch* mountains, and falling into a lake of its own name, after watering an arable and grassy valley, two hundred miles in length, through mountainous country. 4. Salmon Trout river, on the west, running down from the Sierra Nevada and falling into Pyramid lake, after a course of about one hundred miles. From its source, about one-third of its valley is through a pine-timbered country, and for the remainder of the way through very rocky, naked ridges. It is remarkable for the abundance and excellence of its salmon trout, and presents some ground for cultivation. 5. Carson and Walker rivers, both handsome clear streams, nearly one hundred miles long, coming, like the preceding, down the eastern flank of the Sierra Nevada, and forming lakes of their own names at its base. They contain salmon trout and other fish, and form some large bottoms of good land. 6. Owen's river, issuing from the Sierra Nevada on the south, is a large bold stream

about one hundred and twenty miles long, gathering its waters in the Sierra Nevada, flowing to the southward, and forming a lake about fifteen miles long at the base of the mountain. At a medium stage it is generally four or five feet deep, in places fifteen; wooded with willow and cotton-wood, and makes continuous bottoms of fertile land, at intervals rendered marshy by springs and small affluents from the mountains. The water of the lake in which it terminates has an unpleasant smell and bad taste, but around its shores are found small streams of pure water with good grass.

Besides these principal rivers issuing from the mountains on the circumference of the Great Basin, there are many others, all around, all obeying the general law of losing themselves in sands, or lakes, or belts of alluvion, and almost all of them an index to some arable land, with grass and wood.

*Interior of the Great Basin.*—The interior of the Great Basin, so far as explored, is found to be a succession of sharp mountain ranges and naked plains, such as have been described. These ranges are isolated, presenting summit lines broken into many peaks, of which the highest are between ten and eleven thousand feet above the sea. They are thinly wooded with some varieties of pine, cedar, aspen, and a few other trees, and afford an excellent quality of bunch grass, equal to any found in the Rocky mountains. Black-tailed deer and mountain sheep are frequent in these mountains; which, in consideration of their grass, water, and wood, and the alluvion at their base, may be called fertile, in the radical sense of the word, as signifying a capacity to produce, or bear, and in contra-distinction to sterility. In this sense these interior mountains may be called fertile. Sterility, on the contrary, is the absolute characteristic of the valleys between the mountains—no wood, no water, no grass; the gloomy artemisia the prevailing shrub—no animals, except the hares, which shelter in these shrubs, and the fleet and timid antelope, always on the watch for danger, and finding no place too dry and barren which gives it a wide horizon for its view and a clear field for its flight. No birds are seen in the plains, and few on the mountains. But few Indians are found, and those in the lowest state of human existence; living not

even in communities, but in the elementary state of families, and sometimes a single individual by himself—except about the lakes stocked with fish, which become the property and resort of a small tribe. The abundance and excellence of the fish, in most of these lakes, is a characteristic; and the fishing season is to the Indians the happy season of the year.

*Climate of the Great Basin.*—The climate of the Great Basin does not present the rigorous winter due to its elevation and mountainous structure.

Colonel Fremont, who spent the winter of '43—'44 within the basin, says it was remarkable for open, pleasant weather, rarely interrupted by rain or snow. In fact, there is nothing in the climate of this great interior region, elevated as it is, and surrounded and traversed by snowy mountains, to prevent civilised man from making it his home, and finding in its arable parts the means of a comfortable subsistence; and this the Mormons will probably soon prove in the parts about the Great Salt lake.

Such is the Great Basin, heretofore characterized as a desert, and in some respects meriting that appellation; but demanding the qualification of great exceptions.

West of the Sierra Nevada, and between that mountain and the sea, is the second grand division of California, to which we have already alluded, and the only part to which the name applies in the current language of the country. It is the occupied and inhabited part, and so different in character—so divided by the mountain wall of the Sierra from the Great Basin above—as to constitute a region to itself, with a structure and configuration, a soil, climate, and productions of its own; and as northern Persia may be referred to as some type of the former, so may Italy be referred to as some point of comparison for the latter. North and south, this region embraces about ten degrees of latitude—from  $32^{\circ}$ , where it touches the peninsula of California, to  $42^{\circ}$ , where it borders on Oregon. East and west, from the Sierra Nevada to the sea, it will average, in the middle parts, 150 miles; in the northern parts 200—giving an area of above one hundred thousand square miles. Looking westward from the summit of the Sierra, the main feature presented is the long, low, broad valley of the Joaquin and Sacramento

down the valley. The river here, in descending from the upper valley, plunges down through a *canon*, falling 2,000 feet in twenty miles. This upper valley is 100 miles long, heavily timbered, the climate and productions modified by its altitude, its more northern position, and the proximity and elevation of the neighbouring mountains covered with snow. It contains valleys of arable land, and is deemed capable of settlement.

Colonel Fremont, in his exploration of this valley, speaks very favourably of its productive capabilities, and of the extreme beauty of the country traversed by its numerous tributaries. Immense quantities of salmon, generally between three and four feet in length, find their way up the Sacramento, and thence to the rivers flowing into it. During the season, the great abundance in which this fish is found, gives it an important place among the resources of the country. Game was also plentiful in various parts of the valleys; bands of elk, antelope, and deer, were seen. Of the latter there appear to be two species, both of the kind generally called black tailed; one, a larger species, frequents the prairie and lower grounds; the other is much smaller, and is found in the mountains only. Bears were plentiful. Wild oats, covered immense tracts of the valley, almost to the exclusion of every other plant, and grew as luxuriantly and regularly as if in farm fields. Excellent grasses, red and other varieties of clover, were also found in abundance, upon various portions of the route. In some parts, however, the climate was found to be very hot in May and June. The mornings were pleasantly cool for a few hours, but before ten the heat of the sun became very great, though usually tempered by a refreshing breeze; the heat was generally greatest about four in the afternoon. This, however, refers to a part of the valley considerably south, where the bordering mountains are lower, and showed less snow. The lower valley is magnificently timbered throughout. Lieutenant Revere, U.S.N., who was in the country for a considerable period, and had ample opportunities of seeing it, gives a description of the river and valley.

"The Sacramento is a most picturesque and beautiful stream, and presents, for a great part of its extent, the remark-

able peculiarity of two sets of banks, which appear to be formed of alluvial deposits—the second, or farthest removed, having been deposited by the river at the highest stage of its waters. The country beyond the banks, and the woods which line them, is rolling prairie or level plains, interspersed with groves of oak, and the soil has proved, as far as tried, extremely productive and luxuriant. The banks of the river are thickly wooded, being lined on either side by a strip of heavy timber generally about a league in breadth. The river is deep, clear of snags, and navigable to the Butes for steamers at all seasons of the year. As yet, however, no steam vessel has disturbed its solitudes. The tributaries of the Sacramento are numerous, rising in the Sierras on each side of the valley amongst timber of huge size, and their waters, cooled by the snows of these Sierras, make a delicious beverage. Nor is there any lack of water power, the sites for mill-seats being almost without number. Some of these tributaries present the feature common to many of the rivers of California, of suddenly sinking into the earth, and re-appearing ere they disembogue into the main stream. The principal of these subterranean rivers are the *Rio de las Plumas*, known among the Americans as Feather River, and the *Rio de los Americanos*, otherwise called the American Fork. The regions washed by these streams have proved especially prolific in gold, and it may be that large deposits of this precious metal are hidden in their subterranean beds.”

This was written before the discovery which has since created such excitement.

The western flank of the *Sierra Nevada* belongs to the maritime region of California, and is capable of adding greatly to its value. It is a long, wide slope, timbered and grassy, with intervals of arable land, copiously watered with numerous and bold streams, and without the cold which its name and altitude might imply. In length it is the whole extent of the long valley at its base, five hundred miles. In breadth it is from forty to seventy miles from the summit of the mountain to the termination of the foot hills in the edge of the valleys below, and almost the whole of it available for some useful purpose—timber, pasturage, some arable land,

mills, quarries—and so situated as to be convenient for use, the wide slope of the mountain being of easy and practicable descent. Timber holds the first place in the advantages of this slope, the whole being heavily wooded, first with oaks, which predominate to about half the elevation of the mountain; and then with pines, cypress, and cedars, the pines predominating; and hence called the pine region, as that below is called the oak region, though mixed with other trees. The highest summits of the Sierra are naked, massive granite rock, covered with snow in sheltered places all the year round. The oaks are several varieties of white and black oak, and evergreens, some of them resembling live oak.

Of the white oak there are some new species, attaining a handsome elevation, upon a stem six feet in diameter. \*Acorns of uncommon size, and not bad taste, used regularly for food by the Indians, abound on these trees, and will be of great value for stock. The cypress, pine, and cedar are between 100 and 150 feet high, and five to twelve feet in diameter, with clean solid stems. Grass abounds on almost all parts of the slope, except towards the highest summits, and is fresh and green all the year round, being neither killed by the cold in the winter, nor dried by want of rain in the summer. The foot hills of the slope are sufficiently fertile and gentle to admit of good settlements; while valleys, coves, beaches, and meadows of arable land, are found throughout. Many of the numerous streams, some of them amounting to considerable rivers, which flow down the mountain side, make handsome, fertile valleys. All these streams furnish good water-power. The climate in the lower part of the slope is that of constant spring, while above, the cold is not in proportion to the elevation.

The coast is in general very much exposed, but it contains several places which afford good anchorage for vessels. The principal harbours are Santa Barbara, San Pedro, Monterey, and San Francisco. The Bay of San Francisco, which may be said to be the entrance into the region, is one of the noblest road-steads in the world. It possesses around it a fertile and picturesque country; mildness and salubrity of climate; and a direct communication with the

great interior valleys of the Sacramento and San Joaquin. Its latitudinal position is that of Lisbon; its climate is that of southern Italy; settlements upon it for more than half a century attest its healthiness; bold shores and mountains give it grandeur; the extent and fertility of its dependent country give it great resources for agriculture, commerce, and population.

The bay of San Francisco is separated from the sea by low mountain ranges. Looking from the peaks of the Sierra Nevada, the coast mountains present an apparently continuous line, with only a single gap, resembling a mountain pass. This is the entrance to the great bay, and is the only water communication from the coast to the interior of the country. Approaching from the sea, the coast presents a bold outline. On the south, the bordering mountains come down in a narrow ridge of broken hills, terminating in a precipitous point, against which the sea breaks heavily. On the northern side, the mountains present a bold promontory, rising in a few miles to a height of two or three thousand feet. Between these points is the strait—about one mile broad in the narrowest part, and five miles long from the sea to the bay. Passing through this gate, the bay opens to the right and left, extending in each direction about 35 miles, having a total length of more than 70, and a coast of about 275 miles. It is divided, by straits and projecting points, into three separate bays, of which the northern two are called San Pablo and Suisoon bays. Within, the view presented is of a mountainous country, the bay resembling an interior lake of deep water, lying between parallel ranges of mountains. Islands, which have the bold character of the shores—some mere masses of rock, and others grass-covered, rising to the height of three and eight hundred feet—break its surface and add to its picturesque appearance. Directly fronting the entrance, mountains, a few miles from the shore, rise about 2000 feet above the water, crowned by a forest of the lofty *cypress*, which is visible from the sea, and makes a conspicuous landmark for vessels entering the bay. Behind, the rugged peak of *Mount Diavolo*, nearly 4,000 feet high, (3,770) overlooks the surrounding country of the bay and San Joaquin.

The immediate shore of the bay derives, from its proximate and opposite relation to the sea, the name of *Contra Costa* (counter-coast, or opposite coast.) It presents a varied character of rugged and broken hills, rolling and undulating land, and rich alluvial shores backed by fertile and wooded ranges, suitable for towns, villages, and farms, with which it is beginning to be dotted. A low alluvial bottom land, several miles in breadth, with occasional open woods of oak, borders the foot of the mountains around the southern arm of the bay, terminating on a breadth of twenty miles in the fertile valley of St. Joseph, a narrow plain of rich soil, lying between ranges from two to three thousand feet high. The valley is openly wooded, with groves of oak, free from underbrush, and after the spring rains covered with grass. Taken in connection with the valley of San Juan, with which it forms a continuous plain, it is fifty-five miles long and one to twenty broad, opening into smaller valleys among the hills. At the head of the bay it is twenty miles broad, and about the same at the southern end, where the soil is beautifully fertile, covered in summer with four or five varieties of wild clover several feet high. In many places it is overgrown with wild mustard, growing ten to twelve feet high, in almost impenetrable fields, through which roads are made like lanes. On both sides the mountains are fertile, wooded, or covered with grasses and scattered trees. On the west it is protected from the chilling influence of the north-west winds by the *cesta de los gatos*, (wild-cat ridge) which separates it from the coast. This is a grassy and timbered mountain, watered with small streams, and wooded on both sides with many varieties of trees and shrubbery, the heavier forests of pine and cypress occupying the western slope. Timber and shingles are now obtained from this mountain; and one of the recently discovered quick-silver mines is on the eastern side of the mountain, near the Pueblo of San Jose. This range terminates on the south in the *Anno Nuevo* point of Monterey bay, and on the north declines into a ridge of broken hills about five miles wide, between the bay and the sea, and having the town of San Francisco on the bay shore, near its northern extremity.

Sheltered from the cold winds and fogs of the sea, and



having a soil of remarkable fertility, the valley of St. Joseph (San José) is capable of producing in great perfection many fruits and grains which do not thrive on the coast in its immediate vicinity. Without taking into consideration the extraordinary yields which have sometimes occurred, the fair average product of wheat is estimated at fifty-fold, or fifty for one sown.

The slope of alluvial land continues entirely around the eastern shore of the bay, intersected by small streams, and offering some points, which good landing and deep water, with advantageous positions between the sea and interior country, indicate for future settlement.

The strait of *Carquines*, about one mile wide and eight or ten fathoms deep, connects the San Pablo and Suisoon bays. Around these bays smaller valleys open into the bordering country, and some of the streams have a short launch navigation, which serves to convey produce to the bay. Missions and large farms were established at the head of the navigation on these streams, which are favourable sites for towns or villages. The country around the Suisoon bay presents smooth low ridges and rounded hills, clothed with wild oats, and more or less openly wooded on their summits. Approaching its northern shores from *Sonoma*, it assumes, though in a state of nature, a cultivated and beautiful appearance. Wild oats cover it in continuous fields, and herds of cattle and bands of horses are scattered over low hills and partly isolated ridges, where blue mists and openings among the abruptly terminating hills indicate the neighbourhood of the bay.

The *Suisoon* is connected with an expansion of the river formed by the junction of the Sacramento and San Joaquin, which enter the Francisco bay nearly in the same latitude as the mouth of the Tagus at Lisbon. A delta of twenty-five miles in length, divided into islands by deep channels, connects the bay with the valley of the San Joaquin and Sacramento, into the mouths of which the tide flows, and which enter the bay together as one river.

Such is the bay, and the proximate country and shores of the bay of San Francisco. It is not a mere indentation of the coast, but a little sea to itself, connected with the ocean by

a defensible gate, opening out between seventy and eighty miles to the right and left, upon a breadth of ten to fifteen, deep enough for the largest ships, with bold shores suitable for towns and settlements, and fertile adjacent country for cultivation. The head of the bay is about forty miles from the sea, and there commences its connection with the noble valleys of the San Joaquin and Sacramento.

Between the Sacramento valley and the coast, north of the bay of San Francisco, the country is broken into mountain ridges and rolling hills, with many very fertile valleys, made by lakes and small streams. In the interior it is wooded, generally with oak, and immediately along the coast presents open prairie lands, among heavily timbered forests, having a greater variety of trees, and occasionally a larger growth than the timbered region of the Sierra Nevada. In some parts it is entirely covered, in areas of many miles, with a close growth of wild oats, to the exclusion of almost every other plant.

South of Point Conception, latitude  $32^{\circ}$ — $35^{\circ}$ , the climate and general appearance of the country exhibit a marked change. The coast from that cape trends almost directly east, the face of the country has a more southern exposure, and is sheltered by ranges of low mountains from the violence and chilling effect of the north-west winds; hence the climate is still more mild and genial, fostering a richer variety of productions, differing in kind from those of the northern coast.

The face of the country along the coast is generally naked, the lower hills and plains devoid of trees; during the summer heats parched and bare, and water sparsely distributed. The higher ridges and the country in their immediate vicinity are always more or less, and sometimes prettily, wooded. These usually afford water and good green grass throughout the year. When the plains have become dry, parched and bare of grass, the cattle go up into these ridges, where, with cooler weather and shade, they find water and good pasture. In the driest part of the year are found sheep and fat cattle, and flowers bloom in all the months of the year. Along the foot of the main ridges the soil is rich and comparatively moist, wooded, with grass and water abundant; and many

localities would afford beautiful and productive farms. The ranges of the Sierra Nevada (here approaching its termination) still remain high, some peaks always retaining snow, and afford copious streams, which run all the year. Many of these streams are absorbed in the light soil of the larger plains before they reach the sea. Properly directed, the water of these rivers is sufficient to spread cultivation over the plains. Throughout the country every farm or *rancho* has its own springs or running stream, sufficient for the support of stock, which hitherto has made the chief object of industry in California.

The soil is generally good, of a sandy or light character, easily cultivated, and in many places of extraordinary fertility. Cultivation has always been by irrigation, and the soil seems only to require water to produce vigorously. Among the arid brush-covered hills south of San Diego, Captain (now Colonel Fremont) found little valleys converted by a single spring into crowded gardens, where pears, peaches, quinces, pomegranates, grapes, olives, and other fruits, grew luxuriantly together, the little stream acting upon them like a principle of life. The southern frontier of this portion of California seems eminently adapted to the cultivation of the vine and the olive. A single vine has been known to yield a barrel of wine; and the olive trees are burdened with the weight of fruit.

The climate of maritime California is greatly modified by the structure of the country, and under this aspect may be considered in three divisions—the *Southern*, below Point Conception and the Santa Barbara mountain, about latitude  $35^{\circ}$ ; the *Northern*, from Cape Mendocino, latitude  $41^{\circ}$ , to the Oregon boundary; and the *Middle*, including the bay and basin of San Francisco and the coast between Point Conception and Cape Mendocino. Of these three divisions the rainy season is longest and heaviest in the north, and lightest in the south. Vegetation is governed accordingly—coming with the rains—decaying when they fail. Summer and winter, in our sense of the terms, are not applicable to this part of the country. It is not heat and cold, but wet and dry, which mark the seasons; and the winter months, instead of killing vegetation, revive it. The dry season makes a period of consecutive

drought, the only winter in the vegetation of this country, which can hardly be said at any time to cease. In forests, where the soil is sheltered; in low lands of streams and hilly country, where the ground remains moist; grass continues constantly green and flowers bloom in all the months of the year. In the southern half of the country the long summer drought has rendered irrigation necessary, and the experience of the missions has shown that, in California, as elsewhere, the driest plains are made productive, and the heaviest crops produced by that mode of cultivation. With irrigation a succession of crops may be produced throughout the year. Salubrity and a regulated mildness characterize the climate; there being no prevailing diseases, and the extremes of heat during the summer being checked by sea breezes during the day, and by light airs from the Sierra Nevada during the night. The nights are generally cool and refreshing, as is the shade during the hottest day.

California, below the Sierra Nevada, is about the extent of Italy, from the Alps to the termination of the peninsula. It is of the same length, about the same breadth, consequently the same area (about one hundred thousand square miles) and presents much similarity of climate and productions. Like Italy, it lies north and south, and presents some differences of climate and productions, the effect of difference of latitude, proximity of high mountains, and configuration of the coast. Like Italy, it is a country of mountains and valleys: different from it in its internal structure, it is formed for *unity*; its large rivers being concentric, and its large valleys appurtenant to the great central bay of San Francisco, within the area of whose waters the dominating power must be found.

## CHAPTER IV.

*Discovery and Colonization by the Spaniards.—Decadence under the Mexican Republic.—Cession to the United States.*

THIS magnificent region was first discovered in the year 1534, by Hernando de Grixalva. In 1578, the northern portion of it was visited by Sir Francis Drake, who called it New Albion. No practical use seems to have been made of these discoveries. At last intercourse took place between the aborigines and the European adventurers. A few hours before sunset, on a stormy evening in the month of November, 1602, a small fleet, manned by Spaniards, and equipped for the purpose of discovery, sailed into a spacious harbour at the southern extremity of Upper California. The anchors were dropped before night set in, and there until morning the explorers waited quietly in their vessels. At day-break a small party, accompanied by a friar, went on shore. A sandy beach was traversed, and then a grassy flat, dotted with clumps of oak and other trees, and adorned with flowering shrubs. Here, with that religious feeling which singularly blended with these early explorations, a tent was erected to serve as a place of worship; a well was dug, wood cut down, and a fire kindled for the bivouac. Guards were stationed around to prevent surprise, and hardly had this precaution been taken, before a large body of naked Indians, armed with bows and arrows, was observed advancing like a dusky cloud along the shore. Hostilities were at first anticipated, but by means of presents and friendly gestures, the natives were induced to approach on friendly terms. An agreeable intercourse was immediately commenced, and from that hour dated the influence of Spain in California.

Considerable traffic took place between the fleet and the shore, the natives bartering skins, fur, and other produce of their country, for the bread, trinkets, and other rarities of Europe. At length, however, the time arrived for the expedition to depart, and the vessels one after another sailed from

the harbour of San Diego, where they had first anchored, on a cruise along the coast as far as Cape Mendocino. But the success of this enterprise had been so unequivocal, that when accounts of it reached Europe, numerous others were planned and attempted to be carried out. The good fortune, however, which had attended the early adventurers deserted their successors; and it was not until Don Gaspar de Portala fitted out a powerful expedition, many years later, that another friendly meeting took place at San Diego. No regular or systematic effort was however made to colonize the country until so late a period as 1769, upwards of two centuries after its discovery. The advantages offered by the soil, climate, and natural harbours of the coast became so striking, that, at length, an effort at colonisation was made by order of Charles III. As usual in such projects, when undertaken by Spain, the task devolved on ecclesiastics, who were always the pioneers of colonisation in the new world. Sixteen Franciscan monks, under their apostolic prefect, Fray Junipero Serra, were directed to found a new establishment, either at Monterey or at San Diego, both ports on the Pacific. Hitherto the Jesuits had conducted such enterprises, and endeavoured in some degree both to Christianize and civilise the native Indian tribes among whom they were sent; but, on the abolition of the order, the duties fell to other communities. The whole of Upper California was abandoned to the Franciscans; while the Dominicans were intrusted with the lower province. Both at Monterey and San Diego, missions were immediately founded—the government of Mexico lending its effectual aid to the friars by supplies of soldiers, workmen, cattle, and every other necessary. Between June 1769 and October 1776, no fewer than nineteen missions were founded—all, in fact, that were ever founded except two, viz. one in 1817, the other in 1823. They were the germs of Spanish colonisation; and without some knowledge of their construction and administration we can have no correct idea of the state of society in those regions previous to their falling into the hands of the United States.

The buildings of a mission were arranged in the form of a square or rectangle, being generally from 160 to 170 yards

English in circuit. In the enclosure, formed by the four sides, was also a court-yard, ornamented with fountains and planted with trees. A gallery ran along them, with doors leading to the sleeping apartments for the monks, stewards, travellers, and workmen, and to the schools, storehouses, &c. The ground-floors were for the church (which always occupied one of the sides of the domestic offices) refectory, parlours, and the abode of the female domestics, and especially of the young Indian girls, who were taught the arts of spinning and weaving both in hemp and cotton. If any of them exhibited greater intelligence than usual, they were also taught singing and music. They were constantly under the care of old Indian women, and were not permitted to leave the monastery, as it was called, before husbands were provided for them. The Indian boys were kept to the schools, and, when somewhat grown, were sent to the workshops outside the inclosure, or to agricultural labours. The number of friars at each Mission was generally two only; one for the internal government of the house and the exercises of religion, the other for the superintendence of the out-door labours. The number of white servants either within or without the precincts of the house was always small. At a convenient distance from this quadrangular establishment were the cottages of the Indian converts, and of the few whites with whom it was impossible to dispense, with the various forges and workshops necessary for the handicrafts which they exercised. The domains belonging to these establishments were always vast—often from thirty to forty square leagues, and divided into fifteen or twenty separate farms or estates, each with its necessary habitations and out-buildings, and to every three or four of which was a chapel. The communication between these estates and the parent establishment, and the control over both, were effected by four soldiers and a sergeant, who were subject to the two monks, and whose barracks were directly opposite to the front entrance. They served too, in some degree, for the defence of the community against such hostile Indians as obstinately refused the benefits of civilisation and peace. How the monks contrived to teach the rude natives so many trades, some requiring both ingenuity and diligence, and

(what is of still more value) to give them habits of industry and contentment with their lot, is marvellous, especially when contrasted with the failure, more or less partial, of other missionaries. Houses of brick and stone, corn-mills, roads, bridges, and mechanical instruments of all kinds, attested their progress in the useful arts of life. They were well dressed considering the climate. The commonest among them had linen shirts, trowsers, and a kind of woollen tunic. The overlookers, and those who excelled in handicraft and mechanics, were habited in European cloth like the Spaniards. Of food, even of the best kind, they had abundance. In beef, mutton, and bread made of Indian corn, and wheat ground with the husk, they were not stinted: of peas, beans, and some other necessities, they had each a certain portion every week. But less attention was paid to their minds than to their bodies. They were imperfectly taught Spanish; few of them could read; none could write, except some designed for superior and responsible offices; so that the schools seem, in reality, to have been intended chiefly as places for teaching the mere elements of religion. That their knowledge never ascended to anything higher than the elements, and sometimes not even to those, is evident from the uniform ignorance of the people. They were taught less of the spirit than the form, to which indeed they were much addicted. At sun-rise the bell of each community tolled the *Angelus*, and every one hastened to the church. Then came the mass; after it breakfast; then labour. The Indians were divided into companies, each under a superintendent, and they laboured either together or contiguously. At eleven they dined and rested two hours. Then followed labour until the evening *Angelus*, which rang an hour before sunset. After prayers came supper; and next such diversions as best pleased them, among which dancing and singing were the chief. On the whole, it may be truly said, that their lives were happy, and they felt their obligations to the men who had made them so.

The immediate herds and flocks belonging to the establishments rendered it necessary for the friars to dispose of their superfluities. Skins and tallow formed no inconsiderable portion of their trade. But they also sold wine, oil, and corn,



to the ships which touched at the ports. Sometimes they received money in return, sometimes other commodities, especially foreign manufactures. Hence their temporal prosperity was manifest, and as solid as it was brilliant. Where the missions also possessed valuable mines, and had dependants capable of managing them, they became rich; but it was not their object to accumulate the precious metals (except in their churches) so much as to enlarge and improve their *haciendas*, or domains. Sometimes they were still further enriched by testamentary bequests. Thus, in process of time, some of these communities had domains four or five hundred square leagues in extent. The surplus of their funds generally went to pay friars and other ecclesiastics who served the rural cures. To the Dominicans were allowed six hundred, to the Franciscans four hundred, piastres, or dollars, per annum. But the wants of the native Indians, whether attached to the community or not, were always relieved; and this was considered the greatest of all obligations, after the payment of the clergy. The friars themselves could have no private interest in the produce of their manufactures and of their vast estates; this was prohibited by the vows of their order. They could hold property only in common; and care was taken by their bishops and prefects that none of them should take from the common stock more than what was absolutely necessary for their comfortable support.

The European colonists seldom placed themselves under the authority of those communities, which, indeed, were exclusively designed for the benefit of the Indians. The Spaniards were not fond of colonising at all; they preferred civil employment in large towns, or military rank in the *Presidios*. But those who did apply themselves to rural economy, and the arts connected with it, and still more their offspring by native women, or women of mixed race, were located in *Pueblos*, which are more deserving of notice than even the missions. Whatever we may have been wont to say of the Spaniards, it is clear that they understood the art of colonisation far better than ourselves; and some of our statesmen would do well to look into the *leyes de Indias* and the *ordenanzas reales*, or royal ordinances, which were, from time to time, promulgated

by the court of Madrid. And it is worthy of remark, that no monarch of Spain ever exerted himself so ably and so humanely for the interests of the Indians as Philip II: he was uniformly their great and best friend. The local governor had the choice of the land where a Pueblo was to be founded; and he was directed to choose one well wooded, well watered, and of easy access. To each colonist was awarded four portions of land, each equivalent to about eight English acres, besides a small patch for the site of a house and garden, which he was bound to construet in a line with other houses. These portions could neither be sold nor alienated in any way, and were transmissible for ever in the hereditary line of succession. On each two acres ten fruit trees were to be planted. Besides this land appropriated to each settler, which was intended for tillage, there was a large piece devoted to the rearing of trees for fire-wood; and there was also a common pasture where all the flocks and herds of the Pueblo were scattered, and both were sacred. In the vicinity of each Pueblo was a royal domain, which might either be cultivated for the augmentation of the royal revenues, or granted to future settlers—generally to the church. This allotment of lands was the first thing done towards laying the foundation of a rural colony; but where the intended settlers were poor, which was almost invariably the case, this advantage was nothing unaccompanied by other helps. To the honour of the Spanish kings be it said, that each colonist was supported from the royal treasury during the first five years. For two years he received 120 piastres a-year; for the three following years 60, making in the whole 420 piastres for each poblador. During the five years, too, he was exempt from tithe and contributions of every kind. Nor was this all. In addition to the money, he had a weekly allowance of fresh meat and flour during the whole five years. And we must not forget that on his arrival on the spot destined for his future abode, each poblador was presented with a pair of oxen for the plough, two mares, two saddle horses, two cows with their calves, two ewes, two she-goats, a sumpter mule, pigs, poultry, a musket, buckler, lance, ploughs, harrows, spades, hatchets, and other instruments necessary for the farmer and the carpenter. The use of weapons

was obviously defensive, against the frequent assaults of the Indians. The allowance of corn and meat was designed to prevent the necessity of killing the grazing stock ; every poblador was forbidden to do so until he could number fifteen cows, one bull, fifteen mares and one stallion, twelve ewes, and one ram, ten she and one he-goat.

It may be asked, 'Did the royal treasury lose the money so advanced ?' Not a farthing. At the end of five years the obligation of repayment commenced—of course, chiefly in produce. This produce went to the support of the *Presidios* and the augmentation of the royal treasury. Nothing, therefore, was lost by this policy ; but much was gained. Every head of a family being compelled to furnish two horsemen, completely armed, and at the first summons, a warlike spirit was infused into each community. In addition, four soldiers and one serjeant were located in each Pueblo, both to teach the male colonists the use of arms, and to maintain internal order when required to do so by the local *alcades*. For the first two years these *alcades*, or magistrates, were nominated by the governor of the province ; afterwards they were elected by the people from among themselves, subject, however to confirmation by the governor. So, also, during the five years, no proper church, or resident clergyman, was provided—the ordinary duties being performed gratuitously on Sunday by a friar from the nearest Mission—apparently in some temporary building. If, however, the people wished for an immediate religious administration, government was ready to contribute a thousand piastres towards the building of a church.

It is not to be supposed that an infant Pueblo, assisted as it was by five soldiers, could alone be able to resist the hostile attacks of the Indians : still less could the missions. Hence the foundations of *Presidios*, or military fortresses, from which troops could be marched at any moment on a given point menaced by the enemy. Each was surrounded by a ditch, about twenty feet wide by ten in depth : along the inner side was a strong brick or stone wall, about twenty-four feet high by five in thickness. It was square or rectangular, the angles being flanked by little bastions. In the centre of all was the church ; round it were the barracks, storehouses, houses of

the colonists, wells, cisterns, stables, gardens, &c. Eight pieces of ordnance defended each Presidio, which were enough against Indian attacks, however feebly they might have resisted civilized enemies. But there were not Presidios in sufficient number for so extensive a province as Upper California. There were only four; so that if troops were required at a distant part, the active Indians had time to escape with their prey long before the horsemen could be put in motion. When the Pueblos, however, grew populous and warlike, they were generally sufficient for their own defence. The Presidios, we may add, are now in ruins.

The prosperity of the Pueblos was great; but we have not the means of ascertaining it so satisfactorily as that of the Missions, the returns of which are extant. But this prosperity exists no longer. By degrees, ever since 1824, and especially since 1834, the friars were deprived of their property. The Missions had a common fund in Mexico, intended for the uses of religion; and by the sale of a domain, it was augmented in 1827 to nearly eighty thousand piastres or dollars: in that year the republican government seized it, on the pretext that it was necessary for the wants of the state. The example was too attractive not to be followed; and wherever the friars had money, it was unceremoniously seized. When no more was to be got from this source, the domains of the Mission were farmed out to the capitalists who chose to take them, and the Mission-houses were consequently shorn of their numbers and wealth—enough being barely left to support one or two clergymen. By these acts of spoliation a few of the ministers and their minions obtained above a million of piastres. In 1832, a decree passed the Congress that all the monastic domains throughout the republic should be farmed out, for seven years, and the proceeds paid into the republican treasury. To silence for a time the outcry against this wholesale plunder, and to prove that the blow was aimed at the friars only, not at the church, a decree of 1836 placed the administration of the Californian domains at the disposal of the new bishop of California—a prelate devoted to the government. But this concession (which was one in appearance only) was revoked by Santa Anna in 1842

—the administration being vested in the military chief of the provinces. In many cases the above decrees were but partially executed in California ; but where they failed to command obedience, it was more than enforced by the provincial junta and the local governor. Indeed, the greater portion of the spoil fell to the white and Mexican settlers, who farmed the domains on their own terms, and paid over what they pleased to the republican treasury at Mexico.

From 1841 to 1845 the friars had no share of the proceeds, but, in lieu of them, a nominal salary of 400 dollars, which was not paid in money, but in merchandise estimated at much beyond its value, and even this was very generally withheld ; the consequence was, that many of the friars abandoned their cures, and their places were supplied by members of the secular order, said to have been inferior men both in attainments and character.

The change of government was followed by a decline in population and prosperity almost unexampled. The returns for 1834 and 1842, before and after the transfer from ecclesiastical to civil management, speak for themselves.

1.—In 1834, the Indian population of the twenty-two missions amounted to 30,650 ; in 1842 to 4,450.

2.—In the former year the number of horned cattle was 424,000 ; in the latter 28,220.

3.—At the former period the number of sheep, goats, and pigs, was 321,500 ; at the latter 31,600.

4.—In 1834, the number of horses, mares, mules, asses, &c., was 62,500 ; in 1842, it was 3,800.

5.—The produce in corn had decreased in a much greater proportion, that of 70 to 4.

Lieut. Col. Fremont states that at present little of the former high cultivation of the Missions is to be seen : the fertile valleys are overgrown with wild mustard ; vineyards and olive orchards, decayed and neglected, are the only vestiges ; only in some places is it seen what the country is capable of producing. At San Buenaventura he found olive trees in January bending under the weight of neglected fruit, and the Mission of San Louis Obispo (latitude 35 deg.) is

still distinguished for the excellence of its olives, considered finer and larger than those of the Mediterranean.

Bryant, in his interesting work, gives a vivid description of the condition of some of these relics of what may be termed an extinct system of civilization. Speaking of the Mission of San José, he says:—"Passing the squares of one-story adobe (square sun-dried bricks) buildings, once inhabited by busy Indians, but now deserted, roofless, and crumbling into ruins, we reached the plaza in front of the church and the massive two-storied edifices occupied by the *padres* during the flourishing epoch of the establishment. \* \* Belonging to the Missions are two gardens, enclosed by high noble walls. We visited one of these; the area of the enclosure contains fifteen or twenty acres of ground, the whole of which was planted with fruit trees and grape vines. There are about six hundred pear trees, and a large number of apple and peach trees, all bearing fruit in great abundance and in full perfection. The quality of the pears is excellent, but the apples and peaches are indifferent. The vines appeared healthy and vigorous. The gardens are irrigated with very little trouble, from large springs which flow from the hills a short distance above them. Numerous aqueducts, formerly conveying and distributing water over an extensive tract of land surrounding the mission, are still visible, but, as the land is not now cultivated, they at present contain no water.

The mission buildings cover fifty acres of ground, perhaps more, and are all constructed of adobes with tile roofs. Those houses or barracks which were occupied by the Indian families, are built in compact squares, one story in height. They are generally partitioned into two rooms, one fronting on the street, the other upon a court or corral in the rear. The main buildings of the mission are two stories in height, with wide corridors in front and rear. The walls are massive, and, if protected from the winter rains, will stand for ages. But if exposed to the storms by the decay of the projecting roofs, or by leaks in the main roof, they will soon crumble, or sink into shapeless heaps of mud. I passed through extensive warehouses and immense rooms, once occupied for the manufacture of woollen blankets and other articles, with the rude

machinery still standing in them, but unemployed. Filth and desolation have taken the place of cleanliness and busy life. The granary was very capacious, and its dimensions were an evidence of the exuberant fertility of the soil, when properly cultivated under the superintendence of the *padres*. The calaboose is a miserable dark room of two apartments, one with a small loop-hole in the wall, the other a dungeon without light or ventilation. The stocks, and several other inventions for the punishment of offenders, are still standing in this prison. I requested permission to examine the interior of the church, but it was locked up, and no person in the mission was in possession of the key. Its length I should suppose is from one hundred to one hundred and twenty feet, and its breadth between thirty and forty, with small exterior pretensions to architectural ornament or symmetry of proportions. The Pueblo San José, one of the oldest settlements in California, is distant about fifteen miles from the mission, for the most part over a level and highly fertile plain. Mr. Bryant describes it as—"A village containing some six or eight hundred inhabitants. It is situated in what is called the 'Pueblo Valley,' about fifteen miles south of the southern shore of the Bay of San Francisco. Through a navigable creek, vessels of considerable burden can approach the town within a distance of five or six miles. The *embarcadero*, or landing, I think, is six miles from the Pueblo. The fertile plain between this and the town, at certain seasons of the year, is sometimes inundated. The 'Pueblo Valley,' which is eighty or one hundred miles in length, varying from ten to twenty in breadth, is well watered by the Río Santa Clara and numerous *arroyos*, and is one of the most fertile and picturesque plains in California. For pastoral charms, fertility of soil, variety of productions, and delicious voluptuousness of climate and scenery, it cannot be surpassed. This valley, if properly cultivated, would alone produce bread stuffs enough to supply millions of population. The buildings of the Pueblo, with few exceptions, are constructed of adobes, and none of them have even the smallest pretensions to architectural taste or beauty. The church, which is situated near the centre of the town, externally resembles a huge Dutch barn. The streets are irregular,

every man having erected his house in a position most convenient to himself. Aqueducts convey water from the Santa Clara River to all parts of the town. In the main plaza, hundreds, perhaps thousands, of squirrels, whose abodes are under ground, have their residences. They are of a brownish colour, and about the size of our common grey squirrel. Emerging from their subterraneous abodes, they skip and leap about over the plaza without the least concern, no one molesting them.

“The population of the place is composed chiefly of native Californian land-proprietors. Their ranchos are in the valley, but their residences and gardens are in the town. \* \* \* The mission of Santa Clara is situated about two and a half miles from the town. A broad *alameda*, shaded by stately trees (olms and willows), planted by the *padres*, extends nearly the entire distance, forming a most beautiful drive or walk for equestrians or pedestrians. The motive of the *padres* in planting this avenue was to afford the devout *senoras* and *senoritas* a shade from the sun, when walking from the Pueblo to the church at the mission to attend mass. A few minutes over the smooth, level road, at the rapid speed of our fresh Californian horses, brought us to the mission, where we halted to make our observations. This mission is not so extensive in its buildings as that of San José, but the houses are generally in better repair. They are constructed of adobes. The church was open, and, entering the interior, I found the walls hung with coarse paintings and engravings of the saints, &c. The chancel is decorated with numerous images, and symbolical ornaments used by the priests in their worship. Gold-paper and tinsel, in barbaric taste, are plastered without stint upon nearly every object that meets the eye, so that, when on festive occasions the church is lighted, it must present a very glittering appearance.

“The rich lands surrounding the mission are entirely neglected. I did not notice a foot of ground under cultivation, except the garden inclosure, which contained a variety of fruits and plants of the temperate and tropical climates. From want of care these are fast decaying. The picture of decay and ruin presented by this once flourishing establishment,



surrounded by a country so fertile and scenery so enchanting, is a most melancholy spectacle to the passing traveller, and speaks a language of loud condemnation against the government."

It was not, however, the government alone who were to blame for neglecting the resources of this splendid country. The native Californian residents of the Spanish race were an indolent, proud, and pleasure-loving race. Anything approaching to systematic industry was unknown among them, and they were mainly dependent on the few trading vessels from the Atlantic ports for manufactured articles and luxuries. In many cases the raw materials of which these articles were composed were, in the first instance, exported from their own shores. Mr. R. H. Dana, Jun. of Boston, who published a very interesting work in 1840, entitled, "Two Years Before the Mast," gives an exceedingly graphic description of the habits and pursuits of the people. He was nearly two years on the coast, spending some time at various places; at Santa Barbara, Monterey, San Diego, San Pedro, and San Francisco, besides making occasional excursions inland. The work was primarily written with the object of calling attention to the hardships of a common sailor's life, in which respect it was most successful; but the vivid and truthful picture it presents of the people and the country under the old *regime*, when as yet gold mines and Yankee enterprise were equally unknown, now give to it a high historical value. It shows forcibly by comparison the vast and striking changes which ten years have brought about in the condition and prospects of the country. Previous to that period the larger portion of their export trade was confined to one or two of the ports of the United States, Boston being the principal. The exports consisted exclusively of hides and horns, otter and beaver skins, the two former constituting the staple trade. In return, the American skippers sent them assorted cargoes, that is, collections of all descriptions of merchandise; spirits, teas, coffees, sugars, spices, raisins, molasses, hardware, crockery-ware, tin-ware, cutlery, clothing of all kinds, boots and shoes, calicoes and cottons, crapes and silks; shawls, necklaces, jewellery, and combs for the ladies' garniture; "and, in fact," says Mr. Dana, "every-

thing that can be imagined, from Chinese fire-works to English cart-wheels."

"The Californians," he continues, "are an idle, thriftless people, and can make nothing for themselves. The country abounds in grapes, yet they buy bad wine made in Boston and brought round by us, at an immense price, and retail it among themselves, at a *real* (12½ cents) by the small wine-glass. Their hides, too, which they value at two dollars in money, they give for something which costs seventy-five cents in Boston; and buy shoes (most likely made of their own hides, which have been carried twice round Cape Horn) at three and four dollars, and 'chicken-skin' boots at fifteen dollars apiece. Things sell, on an average, at an advance of nearly three hundred per cent. upon the Boston prices. This is partly owing to the heavy duties which the government, in their wisdom, with the intent, no doubt, of keeping the silver in the country, has laid upon imports. These duties, and the enormous expenses of so long a voyage, keep all merchants, but those of heavy capital, from engaging in the trade. Nearly two-thirds of all the articles imported into the country from round Cape Horn for the last six years, have been by the single house of Bryant, Sturgis, & Co., to whom our vessel belonged, and who have a permanent agent on the coast."

The same writer thus describes the costume and prevailing habits of the people. "The men wear a broad-brimmed hat, usually of a black or dark-brown colour, with a gilt or figured band round the crown, and lined inside with silk; a short jacket of silk or figured calico, (the European skirted body-coat is never worn,) the shirt open to the neck; rich waistcoat, if any; pantaloons wide, straight, and long, usually of velvet, velveteen, or broadcloth; or else short breeches and white stockings. They wear the deer-skin shoe, which is of a dark brown colour, and (being made by Indians) usually a good deal ornamented. They have no suspenders, but always wear a sash round the waist, which is generally red, and varying in quality with the means of the wearer. Add to this the never-failing cloak, and you have the dress of the Californian. This last garment, the cloak, is always a mark of the rank and wealth of the owner. The '*gente de razon*,' or aristocracy, wear

cloaks of black or dark blue broad cloth, with as much velvet and trimmings as may be ; and from this they go down to the blanket of the Indian ; the middle classes wearing something like a large table-cloth, with a hole in the middle for the head to go through. This is often as coarse as a blanket, but being beautifully woven with various colours, is quite showy at a distance. Among the Spaniards there is no working class (the Indians being slaves and doing all the hard work) ; and every rich man looks like a grandee, and every poor scamp like a broken down gentleman. I have often seen a man with a fine figure and courteous manners, dressed in broadcloth and velvet, with a noble horse completely covered with trappings, without a *real* in his pockets, and absolutely suffering for something to eat. The women wear gowns of various texture—silks, crape, calicoes, &c.—made after the European style, except that the sleeves were short, leaving the arms bare, and that they were loose about the waist, having no corsets. They wore shoes of kid or satin, sashes or belts of bright colours, and almost always a necklace and ear-rings. Bonnets they had none. I only saw one on the coast, and that belonged to the wife of an American sea-captain who had settled in San Diego, and had imported the chaotic mass of straw and ribbon as a choice present to his new wife. They wear their hair (which is almost invariably black or a very dark brown) long on their necks, sometimes loose, and sometimes in long braids, though the married women often do it up on a high comb. Their only protection against the sun and weather is a large mantle, which they put over their heads, drawing it close round their faces when they go out of doors, which is generally only in pleasant weather. When in the house, or sitting out in front of it, which they often do in fine weather, they usually wear a small scarf or neckerchief of a rich pattern. A band, also, about the top of the head, with a cross, star, or other ornament in front, is common. Their complexions are various, depending—as well as their dress and manner—upon their rank ; or, in other words, upon the amount of Spanish blood they can lay claim to. Those who are of pure Spanish blood, having never intermarried with the aborigines, have clear brunette complexions, and some

times even as fair as those of English women. There are but few of these families in California, being mostly those in official stations, or who, on the expiration of their offices, have settled here upon property which they have acquired, and others who have been banished for state offences. These form the aristocracy, intermarrying and keeping up an exclusive system in every respect. They can be told by their complexions, dress, manner, and also by their speech; for, calling themselves Castilians, they are very ambitious of speaking the pure Castilian language which is spoken in a somewhat corrupted dialect by the lower classes. From this upper class they go down by regular shades, growing more and more dark and muddy until you come to the pure Indian, who runs about with nothing upon him but a small piece of cloth, kept up by a wide leather strap drawn round his waist. Generally speaking, each person's caste is decided by the quality of the blood, which shows itself too plainly to be concealed at first sight. Yet the least drop of Spanish blood, if it be only of quattron or octoon, is sufficient to raise them from the rank of slaves, and entitle them to a suit of clothes—boots, hat, cloak, spurs, long knife, and all complete, though coarse and dirty as may be—and to call themselves *Espanolos*, and to hold property if they can get any.

“The fondness for dress among the women is excessive, and is often the ruin of many of them. A present of a fine mantle, or of a necklace, or pair of ear-rings, gains the favour of the greater part of them. Nothing is more common than to see a woman living in a house of only two rooms, and the ground for a floor, dressed in spangled satin-shoes, silk gown, high comb, and gilt, if not gold, ear-rings and necklace. If their husbands do not dress them well enough, they will soon receive presents from others. They used to spend whole days on board our vessel, examining the fine clothes and ornaments, and frequently made purchases at a rate which would have made a seamstress or waiting-maid in Boston open her eyes.

“Next to the love of dress, I was most struck with the fineness of the voices and beauty of the intonations of both sexes. Every common ruffian-looking fellow, with a slouched hat, blanket cloak, dirty under-dress, and soiled leather leggings,

appeared to me to be speaking elegant Spanish. It was a pleasure simply to listen to the sound of the language before I could attach any meaning to it. They have a good deal of the Creole drawl, but it is varied with an occasional extreme rapidity of utterance, in which they seem to skip from consonant to consonant, until, lighting upon a broad, open vowel, they rest upon that to restore the balance of sound. The women carry this peculiarity of speaking to a much greater extreme than the men, who have more evenness and stateliness of utterance. A common bullock-driver, on horse-back, delivering a message, seemed to speak like an ambassador at an audience. In fact, they sometimes appeared to me to be a people on whom a curse had fallen, and stripped them of everything but their pride, their manners, and their voices.

"Another thing that surprised me was the quantity of silver that was in circulation. I certainly never saw so much silver at one time in my life as during the week that we were at Monterey. The truth is, they have no credit system, no banks, and no way of investing money but in cattle. They have no circulating medium but silver and hides, which the sailors call "Californian bank-notes." Every thing that they buy they must pay for in one or the other of these things. The hides they bring down, dried and doubled, in clumsy ox-carts, or upon mules' backs, and the money they carry tied up in a handkerchief, fifty, eighty, or a hundred dollars and half dollars together."

The government and people were exclusively Roman Catholic, and the system thoroughly intolerant. No Protestant had any civil rights, nor could they hold any property, or indeed remain a few weeks on shore, unless they belonged to some of the trading vessels. "Consequently," says Mr. Dana, "Americans and English who intend to reside here become Catholics to a man, their current phrase being, 'A man must leave his conscience at Cape Horn.'"

Under the influence of the blind cupidity of the government, and the habitual indolence of a race such as has been described, the country gradually relapsed into wilderness and barbarism. The stock found in the missions were disposed of without any attempt to replace them by breeding. The

herbage was luxuriant, and at times so rank that it almost became unwholesome; yet the inhabitants were too lazy to undergo even the slight exertion which was necessary to provide an abundance of milk, butter, and cheese from the abundance of milch cows which cropped it. They chose rather to slaughter the vast herds of cattle which wandered from pasture to pasture, for the hides and tallow, for with these the necessities of life could be obtained without labour. Their flesh was partly consumed, and partly left to decay upon the ground, which in many places around the missions was whitened for acres with the bones. In the rural districts deserted villages became of more frequent occurrence. The towns fell into decay, the Indians fled into the woods to resume their old habits, or took possession of the domains formerly under the sway of the friars, and thus a region, more extensive than Great Britain and Ireland, a few years since had a population of only 8,000 white inhabitants, and perhaps six times that number of roving Indians.

Influences, however, were silently at work destined to change this system of wasteful mismanagement on the part of the Mexican Government, and of sloth and supineness on the part of the people. The American and English adventurers who settled in Monterey and other towns, married Californians, became united to the Catholic Church, and acquired considerable property. Even so far back as the period of Mr. Dana's visit he says:—

“Having more industry, frugality, and enterprise than the natives, they soon got nearly all the trade into their hands. They usually keep shops, in which they retail the goods purchased in larger quantities from our vessels, and also send a good deal into the interior, taking hides in pay, which they again barter with our vessels. In every town on the coast there are foreigners engaged in this kind of trade, while I recollect but two shops kept by natives. The people are naturally suspicious of foreigners, and they would not be allowed to remain were it not that they become good Catholics, and by marrying natives, and bringing up their children as Catholics and Spaniards, and not teaching them the English language, they quiet suspicion, and even become popular and leading men.

The chief *alcaldis* in Monterey and Santa Barbara were both Yankees by birth."

An Anglo-Saxon party had thus been gradually and unsuspectingly formed in all the principal towns, and it latterly received an immense accession of strength by the influx of Americans, who, having been disappointed in Oregon, crossed the Bear Mountains into the more fertile valleys of Alta California. Other adventurers, Americans and a few English, with little property beyond their lives, crossed the Rocky Mountains from the Western States, and, after traversing the dreary region of the Great Basin, established themselves where union would give them the greatest political preponderance. The result was, that, like the Israelite spies of old, they discovered the fertility and productiveness of the soil, and that it was "indeed a goodly land." The spirit of cupidity was excited in the United States. A war with the Mexican Republic was provoked: rightly or wrongly, it is not our purpose here to inquire. The Southern Republic was no match for the powerful Federation of the North, and the war speedily ended in the cession of Upper California and New Mexico to the United States, Mexico receiving, as compensation for the same, twenty-five millions of dollars, or, in round numbers, about five millions sterling.

## CHAPTER V.

*Occupation by the States.—Discovery of Gold at Sutter's Fort.—Excitement and rapid increase of Emigrants.*

FROM the time the flag of the United States was raised in the country, in July, 1846, everything began to wear a different appearance. Confidence was inspired; industry received an impulse. Crowds thronged down upon those fertile valleys which had for many years been neglected. Prosperity appeared to approach by rapid strides; villages sprung up, as though by magic, in various parts of the country; the sound of the axe was heard in the forest; the anvil echoed among the ravines; the hammer rattled in the workshops. The harbour of San Francisco was furrowed by the keels of an increasing commerce. The sites of new towns were prepared; old communities revived; and San Francisco itself, which we may take as a type of the other towns, as Monterey, New Helvetia, and the City of Angels, from a village containing some two hundred inhabitants, grew, within a comparatively few months, to be a thriving little town, with a population of twelve hundred. So sudden was the revulsion of feeling in the country, that the people who had before slumbered in utter idleness and apathy, now laboured so perseveringly, and with so much heart, to recover lost ground, that they forgot, as Captain Folsom expresses it, to divide the Sunday from the rest of the week. California was clearly on the highway to prosperity and commercial importance.

But another and more extraordinary change was at hand—a change affecting not only the destinies of California, but of the civilized world. This was the discovery, that a large portion, if not the whole, of the region westward of the Sierra Nevada, is richly impregnated with the precious metal.

Far inland is a region which possessed, long before the discovery of gold, many attractions to the American settlers, who had crowded thither so rapidly, that the stream itself took its name from them, being called '*El rio de los Americanos*,' or American River. On this point a remarkable man established himself. This person was Captain Sutter, a Swiss by



birth, and one of the captains of the famous guards of Charles X, who served that monarch so gallantly when he was forced to abdicate. A refugee, he went to America, and, after establishing himself temporarily at St. Louis, or in its vicinity, migrated to California, where he took up his abode on a magnificent tract of land, granted to him by the Mexican Government. This was about 1840, for in 1842 Col. Fremont found him well established. Following the examples of the Friars, he sought to avail himself of the labour of the Indians, and had admirable success. All his works had been constructed by Indian hands, and were in good order and condition. Not long afterwards, the Russian Fur Company being about to abandon their factories at Ross and at Bodega, he purchased their stock, transportation, ordnance, &c., and built his fort, a strong work, mounting twelve guns, and capable of containing one thousand men.

It was on the settlement of this gentleman that the discovery was first made, and the circumstances that led to it are vividly related by Captain Sutter himself, in Dr. Brooks' *"Four Months among the Gold Finders in California."* The Doctor, who seems to have been somewhat unfortunate in his previous wanderings, arrived at San Francisco in search of a situation as surgeon in the service of the States, just at the time the news of the discovery spread abroad. His pages give a graphic picture of the excitement produced by it, and of the difficulties encountered by himself and friends in their efforts to make their way speedily to the attractive district. It was impossible to get workmen to do anything. A mania had seized all classes of the population, and the towns were deserted. With great trouble, and at an enormous price, the party at length contrived to get saddles, saddle bags, &c. On going to the saddler's house two hours afterwards about some trifling alteration he wished made, Dr. Brooks found it shut up and deserted. On the door was pasted a paper, with the words "Gone to the Diggings." He was immediately followed thither by the Doctor and his party. They experienced a hospitable welcome on arriving at Sutter's Fort. And, at the request of Dr. Brooks, the Captain gave the following account of the discovery:—

"I was sitting one afternoon, just after my siesta, engaged, by-the-bye, in writing to a relation of mine at Lucerne, when I was interrupted by Mr. Marshall—a gentleman with whom I had frequent business transactions—bursting hurriedly into the room. From the unusual agitation in his manner I imagined that something serious had occurred, and, as we involuntarily do in this part of the world, I at once glanced to see if my rifle was in its proper place. You should know that the mere appearance of Mr. Marshall at that moment in the Fort was quite enough to surprise me, as he had but two days before left the place to make some alterations in a mill for sawing pine planks, which he had just run up for me, some miles higher up the Americanos. When he had recovered himself a little, he told me that, however great my surprise might be at his unexpected re-appearance, it would be much greater when I heard the intelligence he had come to bring me. 'Intelligence,' he added, 'which, if properly profited by, would put both of us in possession of unheard-of wealth—millions and millions of dollars, in fact.' I frankly own, when I heard this, that I thought something had touched Marshall's brain, when suddenly all my misgivings were put an end to by his flinging on the table a handful of scales of pure virgin gold. I was fairly thunder-struck, and asked him to explain what all this meant; when he went on to say, that, according to my own instructions, he had thrown down the mill-wheel out of gear, to let the whole body of the water in the dam find a passage through the tail-race, which was previously too narrow to allow the water to run off in sufficient quantity, whereby the wheel was prevented from efficiently performing its work. By this alteration the narrow channel was considerably enlarged, and a mass of sand and gravel carried off by the force of the torrent. Early in the morning after this took place, he (Mr. Marshall) was walking along the left bank of the stream, when he perceived something which he at first took for a piece of opal—a clear transparent stone, very common here—glittering on one of the spots laid bare by the sudden crumbling away of the bank. He paid no attention to this; but, while he was giving directions to the workmen, having observed several similar glit-

tering fragments, his curiosity was so far excited that he stooped down and picked one of them up. 'Do you know,' said Mr. Marshall to me, 'I positively debated within myself two or three times whether I should take the trouble to bend my back to pick up one of the pieces, and had decided on not doing so, when, further on, another glittering morsel caught my eye—the largest of the pieces now before you. I condescended to pick it up, and to my astonishment found that it was a thin scale of what appears to be pure gold.' He then gathered some twenty or thirty similar pieces, which on examination convinced him that his suppositions were right. His first impression was, that this gold had been lost or buried there by some early Indian tribe—perhaps some of those mysterious inhabitants of the west, of whom we have no account, but who dwelt on this continent centuries ago, and built those cities and temples, the ruins of which are scattered about these solitary wilds. On proceeding, however, to examine the neighbouring soil, he discovered that it was all more or less auriferous. This at once decided him. He mounted his horse, and rode down to me as fast as it would carry him with the news.

"At the conclusion of Mr. Marshall's account," continued Captain Sutter, "and when I had convinced myself, from the specimens he had brought with him, that it was not exaggerated, I felt as much excited as himself. I eagerly inquired if he had shown the gold to the work-people at the mill, and was glad to hear that he had not spoken to a single person about it. We agreed," said the Captain, smiling, "not to mention the circumstance to any one, and arranged to set off early the next day for the mill. On our arrival, just before sundown, we poked the sand about in various places, and before long succeeded in collecting between us more than an ounce of gold, mixed up with a good deal of sand. I stayed at Mr. Marshall's that night, and the next day we proceeded some little distance up the South Fork, and found that gold existed along the whole course, not only in the bed of the main stream, where the water had subsided, but in every little dried-up creek and ravine. Indeed I think it is more plentiful in these latter places, for I myself, with nothing more than a

small knife, picked out from a dry gorge, a little way up the mountain, a solid lump of gold which weighed nearly an ounce and a half.

"On our return to the mill, we were astonished by the work-people coming up to us in a body, and showing us small flakes of gold similar to those we had ourselves procured. Marshall tried to laugh the matter off with them, and to persuade them that what they had found was only some shining mineral of trifling value; but one of the Indians, who had worked at the gold mine in the neighbourhood of La Paz, in Lower California, cried out, 'Oro! oro!' We were disappointed in the discovery, and supposed that the work-people had been watching our movements, although we thought we had taken every precaution against being observed by them. I heard afterwards, that one of them, a sly Kentuckian, had dogged us about, and that, looking on the ground to see if he could discover what we were in search of, he had lighted on some flakes of gold himself.

"The next day I rode back to the Fort, organised a labouring party, set the carpenters to work on a few necessary matters, and the next day accompanied them to a point of the Fork, where they encamped for the night. By the following morning I had a party of fifty Indians fairly at work. The way we first managed was to shovel the soil into small buckets; then wash all the light earth out, and pick away the stones; after this, we dried the sand on pieces of canvass, and with long reeds blew away all but the gold. I have now some rude machines in use, and upwards of one hundred men employed, chiefly Indians, who are well-fed, and who are allowed whisky three times a-day.

"The report soon spread. Some of the gold was sent to San Francisco, and crowds of people flocked to the diggings. Added to this, a large emigrant party of Mormons entered California across the Rocky Mountains, just as the affair was first made known. They halted at once, and set to work on a spot some thirty miles from here, where a few of them still remain. When I was last up at the diggings, there were full eight hundred men at work, at one place and another, with perhaps something like three hundred more passing backwards

and forwards between here and the mines. I at first imagined the gold would soon be exhausted by such crowds of seekers, but subsequent observations have convinced me that it will take many years to bring about such a result, even with ten times the present number of people employed.

"What surprises me," continued the Captain, "is, that this country should have been visited by so many scientific men, and that not one of them should have ever stumbled upon these treasures; that scores of keen-eyed trappers should have crossed this valley in every direction, and tribes of Indians have dwelt in it for centuries, and yet that this gold should never have been discovered. I myself have passed the very spot above a hundred times during the last ten years, but was just as blind as the rest of them, so I must not wonder at the discovery not having been made earlier."

The secret, as has been said, soon transpired, and such a scene immediately ensued in the country as perhaps has not been witnessed since Mammon first assumed his imperial sway over mortals. The whole male population of the adjoining districts abandoned their ordinary callings, and betook themselves to the tributaries of the Sacramento to collect the precious metal. The success which attended their efforts out-rivalled the imaginative creations which the most sanguine follower of Cræsus ever conjured up before him. In the bed of every torrent, and in every ravine, gold of the purest quality was to be found. With the speed of the fiery cross the news spread over the whole country; and never did clansman obey the summons of his chief with half the alacrity that on the present occasion every person in the valleys of the San Joaquin and the Sacramento exhibited in deserting his duty to join in the aureal race. No sooner was the discovery of such abundance of the precious metal made known in San Francisco, than, with two or three exceptions, every person that could wield a shovel or a pick-axe set out for the favoured region. The soldiers *en masse* abandoned their posts, applying to their use the officers' horses in their eagerness to arrive sooner at the goal. Only two sergeants remained to protect the magnificent prey which the Americans had so long coveted, and but so recently secured. The sailors in the bay deserted their

ships, and the labourers on land followed their example, leaving the merchandise lying like useless lumber on the shore. The merchant forsook his ledger, the clerk contemptuously flung away his pen, the lawyer threw up his brief, and all, including farmers and priests, mechanics and physicians, pressed forward to the regions of gold.

The Valley of the Sacramento was made populous by the influx of adventurers. A city of tents sprang up in all directions. Encampments thickened along the banks of the river; the bivouac fires of the gold-seekers blazed in every hollow and on every hill; waggons and teams poured in from the coast; the Indian villages emitted their inhabitants to swell the army of delvers which swarmed and toiled throughout the gold region. Nothing can be imagined more extraordinary than the spectacle presented by the hills, valleys, and slopes; tents of white canvass, shining in the sun and scattered irregularly over the country, contrasted strongly with numerous huts of sombre colour, which, constructed of rushes and branches, and stored with rude implements, constitute the only shelter of many who were rich in gold, but who could scarcely obtain sufficient food to support life. The ripening harvests had been left to rot, or to be trampled down by the beasts, and no adequate arrangements for supplying the wants of a large population, thus suddenly collected together in an almost uninhabited district, could be expected. Roughly built stores alternated here and there, whilst many of the gold-seekers were constrained to seek caverns in the ravines, or to be content with the bare roof of Heaven.

Large, however, as was the influx of gold-seekers, none were doomed to disappointment.

Some searched in the beds of torrents, and in the ravines of the mountains; others dug the soil along the shores of the Sacramento; and some used the pick-axe among the rocks—but all were successful. Some of the gold was in grains mixed with earth; some of it was combined with quartz, and came off in the shape of scales; but much of it was pure virgin gold, in lumps which varied in weight from one penny-weight to a quarter of a pound.

The harvest which was reaped in a few days by the gold-

hunters would appear totally incredible if it were not supported by abundant evidence of an unquestionable character. Some men secured in one day as much as seventy, eighty, and even one hundred dollars. The average quantity gathered daily by each person amounted, at the lowest computation, to half an ounce of pure gold; and when we bear in mind that an ounce of the precious metal costs *3*l.* 17*s.* 6*d.** we may form some idea of the treasures that were in a few weeks accumulated. Lumps of gold were extracted from the rocks with the greatest ease by means of a pick-axe. Mr. Cutting, an American gentleman, states that one man was fortunate enough to find a lump which weighed 13 pounds. Some persons who possessed capital sought to accumulate wealth faster than their neighbours, by hiring a number of searchers at exorbitant wages. The attempt, however, signally failed, for the labourer, unless he happened to be an Indian, could not withstand the temptation to dig for himself, and no sooner had he arrived in the golden region than he appropriated to his own use the implements of his master, and set up business on his own account. Extraordinary results ensued from the diversion of labour out of its ordinary channel. Sailors' wages rose to seventy and eighty dollars a month. The black waiter at the hotel of San Francisco was receiving 1,700 dollars a year. Similar wages were exacted in every other line of life by all persons who possessed sufficient strength to proceed to the valley of the Sacramento. Under these circumstances, it was generally impossible to procure hired labour upon any terms, and every man was compelled to be his own servant. Even Colonel Mason, the Governor, was for some time compelled to cook his own victuals, the whole of his attendants having deserted him immediately upon the arrival of the news from the Feather River. The place where the gold was originally discovered is distant from San Francisco about 100 miles, in a north-east direction. It was soon afterwards found to be most extensively diffused, and to be everywhere equally abundant. Along the American Fork, and all its tributaries, in the valley of the San Joaquin, and in the plains of the mission of Santa Clara, a rich harvest of gold was in all instances readily reaped. It was thus discovered to be diffused over a tract of

country nearly 600 miles long, and from fifty to one hundred miles broad. It is even not improbable that it may extend to the Oregon territory. The most remarkable circumstance connected with it is the general abundance in which it occurs. It is found most plentifully in the beds of rivers, where it is evidently washed down from the rocks through which the streams flow in the upper parts of their courses, but it is also obtained by digging the soil, which everywhere appears to be impregnated with it.

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## CHAPTER VI.

### *Life in the 'Diggings.'—Mode of Washing the Gold.*

THE only complete and reliable account of the actual life of a Gold Seeker, which has yet been presented to the public, is that contained in Dr. Brooks's volume, already referred to. His narrative, which is full of anecdote and incident, sketches in a lively manner the state of California as it at first appeared, under the influence of the gold fever, and the nature of the hardships to which those in search of the precious metal must submit. It also gives a graphic outline of the country through which he passed. A condensation of his narrative, therefore, will serve to give a better and more forcible idea of "Life in the Diggings," than by any other mode we could adopt. The narrative of Dr. Brooks leads us from San Francisco to Monterey, thence into the valley and along the banks of the Sacramento to Captain Sutter's Fort, among the mines and gold seeking population of that district.

At the outset, the party consisted of Dr. Brooks and two fellow passengers, country-men, named McPhail and Malcolm; Mr. Bradley, an American, who had been an officer in the volunteer corps attached to the United States army while military operations were going on in the country; Don Louis Palo, a Californian gentleman, whose father had held office under the Spanish Government; and José his servant.

The cavalcade, which consisted of the horses used by the







ENCAMPMENT IN THE VALLEY OF THE SACRAMENTO

party besides seven others, the conveyance of provisions, tents, &c., started on Sunday morning, June 4th, from the Fort, in company with many other parties bound for the El Dorado. The track lay through a spacious grassy valley, with the Americanos River winding along it on the left-hand. The country was pleasant, consisting of a succession of small valleys, diversified here and there by groves of tall oak trees. It requires great experience to fasten securely the provisions and stores on the backs of the horses. Flour was the principal article of the commissariat. This was packed up in sacks, which were again enclosed in long pockets, made of hides to defend the canvass of the sacking from being torn by branches of fern and underwood. The baggage horses were furnished with trail ropes, which were allowed to drag on the ground for the purpose of catching them more readily. Towards evening the party came in sight of the lower mines, called the "Mormon diggings," which occupied a surface of two or three miles along the river. There were something like forty tents scattered up the hill side, occupied mostly by Americans. Although it was near sundown everybody was in full occupation. At every few yards there were men with their naked arms, busily employed in washing out the golden flakes and dust from the auriferous soil. Others were pressing it through sieves, many of them freshly made with intertwisted willow branches, to get rid of the coarse stones, and then washing the lumps of soil in pots placed beneath the surface of the water; the contents of the vessel being kept continually stirred by the hand, until the lighter particles of earth or gravel were cleared away.

A great number, however, were employed upon "cradles;" so called, partly from their shape, and partly from the rocking motion to which they were subjected. These machines were roughly constructed of deal planks, and a high price had to be paid for them. Four men were employed at one "cradle." The first shovelled up the earth; another carried it to the cradle and dashed it down on a grating or sieve—placed horizontally at the head of the machine, the wires of which, being close together, only allowed the smaller particles of earth and sand to fall through; the third man rocked the

cradle, while the fourth kept flinging water upon the mass of earth inside. The result of this four-fold process was, that the lighter earth was gradually carried off by the action of the water, and a sort of thick black sediment of sand was left in the bottom of the "cradle." This was afterwards scooped out and put aside to be carefully dried in the sun.

The gold-finders said they frequently got as much as fifty dollars a-day. One man showed four hundred ounces of pure gold, which he had washed from the dirt in a tin pan, and which he valued at fourteen dollars an ounce. As the party rode from camp to camp, and saw the hoards of gold, some of it in flakes, but the greater part in coarse dust, which these people had amassed in a few weeks, they felt in a perfect flutter of excitement. It seemed as if the fabled treasures of the Arabian Nights had been suddenly realized before them. They all shook hands and swore to preserve good faith with each other, and to work hard for the common good.

Pitching their camp by the side of a dried-up water course, through which, in the wet season, a small rivulet joined the larger stream, they proceeded, before making arrangements for the night, to make their first essay in gold seeking. Their fingers were positively itching for gold, and in less than half-an-hour after their arrival, the track horse, which carried the shovels, scoops, and pans, had been released of his burden, and the parties were as busily employed as those previously on the spot. "As for myself," says Dr. Brooks, "armed with a large scoop, or trowel, and a shallow tin pail, I leapt into the bed of the rivulet, at a spot where I perceived no trace of the gravel and earth having been artificially disturbed. I shall not soon forget the feeling with which I first plunged my scoop into the soil beneath me. Half-filling my tin pail with the earth and shingle I carried it to the pool, and placing it beneath the surface of the water, I began to stir it with my hand as I had observed the other diggers do. Of course I was not very expert at first, and I dare say flung out a good deal of the valuable metal. However, I soon perceived that the earth was crumbling away, and was being carried by the agitation into the pool, which speedily became turbid, while the sandy sediment, of which I had heard, remained at the

bottom of the pail. Carefully draining the water away, I deposited the sand in one of the small close-woven Indian baskets we had brought with us, with the intention of drying it at the camp fire, there not being sufficient time before night-fall to allow the moisture gradually to absorb by the evaporation of the atmosphere."

Having been thus engaged for about half-an-hour, the doctor returned to the spot where they had tethered the horses and found them still standing with the packages on their backs. He was soon rejoined by his companions, who had been similarly employed. Bradley, who was in tip-top spirits, said, shaking a bag of golden sand—"I guess this is the way we do the trick down in these clearings."

The tent having been at length got up, coffee and cakes—very much under-baked, in consequence of the eagerness to dry the sand—were prepared. A hole was burnt in the bottom of the best saucepan before the moisture in the sand was absorbed, but, this being at last effected, the party commenced blowing away the sand with their mouths, and found themselves shortly after in possession of a few pinches of gold. This was encouraging for a beginning; and, having drank their coffee in high spirits, the whole were soon after sound asleep.

The next morning (Sunday) broke brilliantly; but two of the horses were found to have broken their fastenings and strayed through the night. José and Horry grumbled at being ordered from the scene of golden operations to seek them, and at length only complied under the fear of Bradley's rifle. Don Louis, who had no objection to amuse himself on a Sunday, had objections to work, and therefore remained in the tent smoking, while the other portion of the party proceeded to the "Diggings," and found that Don Louis was singular in his aversion to labour on the Sunday. Here, then, commenced the regular initiation into the toil of a Gold Washer. Dr. Brooks examined with more care the nature of the soil in which the metal was found. The dust is contained in the shingle actually below the water, but at that time the most convenient way was, to take the soil from that portion of the bed which was dry, but which had been overflowed. It was principally of a gravelly nature, full of small stones, composed of a

species of jasper, mingled with fragments of slate and splinters of basalt.

The toil of washing is very severe; the constant stooping pressing upon the spinal column, whilst the constant immersion of the hands in water causes the skin to excoriate and become exceedingly painful. The inconvenience of this method, therefore, induced the party on the second day to think of making a cradle, and, as both wood and labour were excessively high, to try and construct it themselves. In the evening, anxious to know how much they had washed out during the first two days, the doctor set off to borrow a pair of scales. He could, however, find none to lend, but in the store of a Yankee several pairs to sell, and for a small pair of ordinary brass scales with a set of troy weights, he had to pay fifteen dollars, the seller telling him at the same time, that, if the gold-hunters continued to pour in for a fortnight longer, he would not be able to get the article for three times that amount. The average earnings of each, computed at fourteen dollars the ounce of gold dust, amounted to twenty-six dollars for the two days by hand-washing.

Mr. Biggs, a shipping agent, and Mr. Lacosse, a French Canadian, having joined the party on the Tuesday, they set to work upon two cradles, having obtained the necessary boards at the rate of thirty-five dollars per 100 feet. A carpenter, who was asked to help, offered to do so at the rate of thirty-five dollars a day, with provisions and tools found. This was declined, and the party made their first essay at carpentering. They found it a feat far above their skill, to mortice the planks into each other. They, therefore, adopted the ruder plan of making the boards overlap each other about an inch, nailing them firmly in that position. Some pieces of tarred canvass, which they fortunately possessed, were strained over the bottom and rendered the surface even; a wicker sieve was placed over the head by a couple of transverso bars, and before sundown the next evening both the cradles were completed, in a rough, but firm and strong style.

The next day they set to work with them. The labour was hard enough, but nothing compared to the old plan of pan washing, while it saved the hands from the injury inflicted by continual dabbling in sand and water. By taking

different departments of the labour by turns, it was found that the change, by bringing into play various sets of muscles, greatly relieved all parties, and enabled them to work with continuous vigour and energy. The result was, that at the close of the day each cradle, worked by three persons, had realized six ounces of gold dust.

People continued to pour into the "Diggings," and provisions rose to an exorbitant price. It was quite out of the question to buy them, for, work as one might, the day's subsistence pretty well absorbed the day's labour. Bradley and José were, therefore, despatched to the Fort with two horses and 250 dollars in gold, to purchase the necessary supplies. On the day they left Dr. Brooks had a piece of good luck. He was digging up the earth to throw into the cradle, when he turned up a lump of ore about the size of a small walnut, which he knew at once to be a piece of gold. It weighed two ounces and three quarters. This, by the law of the "Diggings," belonged to himself, it being found before the earth was thrown into the cradle, and over half an ounce in weight. Bradley returned in two days with victuals for a month, and the parties continued their labours, having, however, to give up their tents for the storage of the provisions, and to camp out in the open air at nights.

Among those who flocked into the "Diggings," were considerable numbers of native Californians, many of them bringing their wives with them, usually attended by Indian girls. These arrivals gave quite a new character to the scene. The women were graceful and coquettish, and dressed in an exceedingly handsome and rich costume. After their arrival a "fandango" was got up almost every night on the green before some of the tents. The term, though applying originally to a peculiar dance, was used for an evening's dancing entertainment, at which the waltz seemed the standing dish. The Californian waltz is danced with numerous intricate figures, and the men and women alike waltz beautifully, with an easy, graceful, swaying motion. During the interval between the dances, coffee was consumed by the senoras, and coffee, with something stronger, by the senors, so that, as the night advanced, the merriment got animated and imposing.

## CHAPTER VII.

*Life in the 'Diggings' continued.—The party leave the Mormon "placer," and encamp at the Saw-mills, where the Gold was originally discovered.—Another removal and halt at Weber's Creek.—Country more wild and Indians more numerous.*

THIS comparatively pleasant life did not continue long. The influx of diggers increased, and the gold diminished. Several of the pans and baskets were stolen by the new comers. The party, therefore, resolved to remove to the saw-mill higher up the river, where Mr. Marshall first discovered the gold. They previously, however, disposed of their cradles by auction at high prices, one being knocked down at 195 dollars, the other at 180 dollars, or 375 dollars worth of gold dust. The country, as they ascended the stream, became hourly more hilly and broken. Its general aspect was grassy, and the soil appeared fertile. Occasionally deep gullies crossed the path, over which great difficulty was found in urging the horses, heavily laden as they were. As they advanced the scenery became mountainous. At the saw-mills the hills appeared to rise about 1000 feet above the level of the Sacramento. They were diversified by groves of gigantic pine and oak trees. The party, after receiving a kind reception from Mr. Marshall, encamped in a woody bottom by the side of a small tributary stream, where there was good pasture for the horses. Upon instituting a more particular search, they found that the places where the gold was found in the greatest abundance, and in the greatest masses, were the beds of the mountain torrents then dry. On clambering up some of these precipitous ravines, they observed, as they scrambled, shining spangles of gold. The soil was evidently richly charged, but the disadvantage was the comparatively great distance from water, though the yield was greater than at the "Mormon" mines; this disadvantage induced the party in a few days to strike their tent and proceed to Weber's Creek, a small tributary to the northern fork of the Americanos. During their march, they



passed several deserted Indian villages, the round shaped skeletons of the huts alone remaining to mark the site of the former settlements. Towards evening they entered the valley drained by Weber's Creek. Its appearance was very beautiful; the grassy slopes were cut up in all directions with rivulets, the courses of which were marked by luxuriant underwood, rank grass, and stunted oaks. On the following morning they pursued their course; farther up they found the weather getting oppressive (June 10); indeed, the farther they got from the Sacramento, the hotter did it become. The sea breeze did not penetrate the valley, and, except where an occasional squall swept down from the hills, the air was very oppressive.

Having reached a station about twenty miles from the junction with the Americanos, the party again halted and commenced operations. Washers were numerous around them, a large part being Indians; some few worked in the bed of the river, but the great majority were engaged in the ravines leading up the mountains. The greatest quantity of gold dust was found in the former, while the latter yielded the best specimens of lump and scale gold; though the sides were rich they were more uncertain than the main stream. Lumps of gold weighing several ounces were continually met with, but a morning might be employed and nothing found, whereas, if a man kept by the main stream, and washed all day long, he was sure of his ounce, or two ounces, of gold.

Finding the price of plank most exorbitant, the party, with the assistance of a ship carpenter, at the rate of thirty dollars a day, felled a couple of stout trees, and hollowed them out for cradles. While so engaged, Col. Mason, the Governor, visited the "placer," as these mines are called by the natives, and the party took the opportunity of his return to Sutter's Fort, to send down Bradley with their gold. The amount then collected was 27 pounds, eight ounces, valued at upwards of 4,600 dollars. Bradley gave a receipt for this to the Company, and engaged to obtain a similar one from Captain Sutter, to whom it was consigned as agent. This was the work of little more than four weeks. Bradley returned safe in two or three days and reported that he had delivered the gold and settled the transaction.

Daily exposure to the sun while at its greatest height, followed by exposure to the cold damp air at night, soon produced intermittent fever among many of the miners. The returns, however, were large. The first day the party used their cradles, they realised nine ounces with one, and seven and a-half with the other. In the meantime Dr. Brooks found numerous patients. The fact that he was a medical man oozed out, and he was continually called on to prescribe—an ounce of gold was the usual fee, and, as he truly observes, "This sort of work is as much more profitable as it is less laborious than working at the cradle." Having, however, but a scanty stock of medicine, he was reluctantly obliged to keep it for his own friends and to relinquish a practice in which he could do nothing but prescribe, while medicine could not be procured. The miners who worked by the river out of the shade, sunk in many instances, exhausted by their toil, under a sultry atmosphere. Dysentery, produced by unwholesome food, also began to show itself, and the aspect of things became anything but cheerful.

The party, under these circumstances, engaged a large number of Indians to work for them; they belonged to the Snake tribe, and appeared a poor set of half-starved wretches; they were paid in provisions, and occasionally in drams of pisco, a spirit made from Californian grapes. They were strongly addicted to games of chance, and sometimes gambled away all the clothing on their backs. They had also an unhappy passion for "strong waters." They contented themselves with living on a bitter kind of bread, made out of acorns, and spent all their earnings upon whiskey, pisco, a little finery, and gambling; the demand for the two former caused their price to rise to a most exorbitant rate.

One or two of Dr. Brooks' party were laid up with fever, but recovered after a day or two under his care. He was of opinion however that the climate was not unhealthy; it was, he thought, the exposure in the works which did the mischief.

After a stay at Weber's Creek mines from the 7th to the 21th of July, the party at length determined again to change their quarters. All of them complained of feverish symptoms,

with pains in the back and loins, and the washings in that short interval had become nearly as crowded as the "Mormon" diggings were when they left them; they, therefore, resolved to start for the Bear River, a small stream which runs into the Sacramento about fifty miles distant, due north. Before starting, however, they were joined by Joe White, an old trapper known to Bradley and Don Louis. He was well acquainted with the Bear River, and consented to guide the party there for sixty-five dollars and his food. Considering the high rate of everything at the Creek, this was low enough. Three persons, hearing of their intended expedition, also offered to join the party. These were Edward Story, an American lawyer, who had been one of the inferior *alcaldes* during the Spanish *regime* at Monterey; John Dowling, first mate, and Samuel Bradshaw, the carpenter, of an American whaling ship they had left at San Francisco. As they were about to plunge beyond the farthest out-posts of civilization, where, in all probability, they might have to secure themselves against attacks from the Indians, the offer was readily accepted; particularly as the lawyer understood the language of several of the tribes, and the carpenter would obviously be a most useful personage.

On the 26th of July they struck their camp, and were all in motion in the early cool of the morning: the march was a fatiguing one; the trapper proved an able guide, taking a general course north-north-west; but varying the direction from time to time, so as to lead through the easiest paths, and steer clear of the canons which split up the hills in every direction. The general character of the country as they proceeded became more and more mountainous. A great number of water courses crossed their path; but the channels were quite dry, the stones and shingles bleaching in the sun. During the journey, one of the pack-horses broke its leg, by stumbling over a heap of rough stones while clambering up from the bed of a torrent. It was shot and the burden distributed among its fellows. In four days they accomplished the distance. The sun was near its setting on Friday evening, as they pushed down the mountain slopes towards the Bear River; they found it a small stream flowing rapidly over a shingly bed to the westward, and encamped within hearing of

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its murmur, well pleased to have performed their toilsome journey.

As the more romantic and dangerous portion of their adventures here commences, we shall narrate them in another chapter.

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## CHAPTER VIII.

*Life in the "Diggings" continued.—A solitude.—First appearance of Indians.—A rich mine discovered.—Battle with the Indians and consequent warfare.—M'Phail lost and Horry scalped.—Sickness in the Camp.—Suspensions of unfair play.—Resolution to return to the coast.—The best part of the Gold stolen, 'a la California,' while on the road.—Insecurity of the country.—Futile pursuit of the robbers.—Result of four months' labour and adventures.*

On surveying the country the following morning, the party found themselves in perfect solitude. Not an Indian, far less a white man, was to be seen. The fertile valley of the Bear River, with its luxuriant grass, in which nestled coveys of the Californian quail, seemed untrodden by human foot, and sloped in great beauty between the ridges of rocky hills and peaks of granite, with dark ravines and canons which hemmed it in. The first object was, of course, to ascertain the capabilities of the country in the way of gold. The party separated, and tried different points of the channel of the stream, and different chasms which in winter time conducted the mountain torrents into it. To the astonishment and disappointment of all, one by one returned into the camp, with the tidings of non-success. Acting on the advice of the old trapper, an exploring party was dispatched to follow the stream to its head, and, at the distance of about ten or twelve miles upwards, struck upon a spot, where a slight examination sufficed to prove, that the gold existed in great abundance in the sand and shingles, and was also imbedded in

flakes among the rocks. On the Sunday the party accordingly removed to this place, and as they were beyond the reach of aid from white men, and entirely dependent on their own exertions for subsistence and defence, their first business was to set about making appropriate arrangements for their new position. Bradley, Joe White, and José, were appointed hunters; Malcolm, Lacosse, and M'Phail, set to work upon a couple of cradles, and the ship carpenter to superintend the construction of a shanty large enough to accommodate the whole party, with a rough fortification around it composed of pine logs, and palisades pointed at the top, sufficient to enclose a space into which the horses could be driven at night, to protect them from any thievishly inclined Indians. The cradles were finished on the Monday, and the shanty on Saturday afternoon. The hunters were successful; slices of fat bucks, and quails, nobly furnished the table on the first day of their labours, in addition to which, they had a dessert composed of a fruit similar to apples in taste, but not larger than a gooseberry in size, brought in by the trapper.

As soon as the building labours were over, the party set to work digging and washing, and were very successful. The soil, mineralogically speaking, did not vary much from Weber's Creek, but, if anything, was more impregnated with gold. Don Louis discovered a large rough lump in a canon about a mile from the shanty, and Bradley a similar, but smaller lump, in one of his hunting excursions.

On the 7th of August, a party of Indians approached the camp; the foremost chief held before him a long stick with a bunch of white feathers dangling at the end as a sign of friendly intentions. The trapper acted as master of the ceremonies, and the pipe of peace having been handed round, the Indians explained that they were anxious to engage in a trade. They had, however, nothing to exchange but a few esculents and several bags of pine nuts, which they are accustomed to roast and eat, though the taste is far from pleasant. Three were armed with old Spanish muskets, a few of the others had bows and arrows slung across their shoulders. The party declined to trade, alleging shortness of ammunition—provisions having run low, they could offer nothing to eat, but gave a

few blankets as a present, according to Indian etiquette. The Indians encamped outside the fort during the night, and next morning, with the exception of five who offered to work for the party, took their departure. The five who remained decamped two days after, unperceived by the sentinels.

On Friday, August 18th, while exploring some of the numerous mountain canons which lay between the camp and the Sierra Nevada, the party found among the loose pieces of rock which had crumbled from the sides of a ravine, and fallen to the bottom, several lumps of gold, much larger than any previously met with. Further examination showed that they had hit upon one of the richest mines they had yet discovered, and the gold being found in solid lumps, the unpleasant labour of washing was dispensed with. This ravine was about half a mile distant from the encampment; notwithstanding which, they determined to remove all their implements to it the following day. Accordingly, the hunters having set off on a foraging expedition, and José and the lawyer being left in charge of the camp, round which the Indians had been observed prowling for several days, the remainder of the party proceeded to the ravine. In a few hours they succeeded in procuring more gold than they had obtained in any two days of the preceding week. But there is nothing without its corresponding alloy. They were on the point of returning to dinner, when Dowling, who was near some bushes at the upper part of the ravine, heard a rustling among them; and, on moving in the direction of the noise, saw an Indian creeping stealthily along, who, as soon as he was perceived, discharged an arrow, which lacerated severely Dowling's ear. Setting up a terrific whoop, the savage ran off, but stumbled before he could draw another arrow from his quiver, and Dowling, rushing forward, buried his mattock in the head of his fallen foe, killing him instantaneously.

At the same moment, the crack of a rifle and the whoop of the Indians, from the direction of the camp, showed that it had been attacked. Mounting a small eminence to reconnoitre, Doctor Brooks saw a troop of Indians—the foremost on horseback—approaching at full speed. The party then



sought shelter in a little dell, determined to resist the attack which was evidently meditated.

It was a moment of breathless excitement. They heard the "tramp, tramp," of the horses coming on towards them, while as yet the riders were not visible. Suddenly, a terrific yell rang through the air at a short distance, forty or fifty warlike Indians appeared in sight, and a shower of arrows flew in amongst the little band of adventurers. Doctor Brooks was the first to answer it with a rifle-shot, which brought one of the foremost Indians off his horse to the ground; the rifles of his companions immediately followed, with a deadly effect, which was much aided by the position they had taken up. It was behind a row of willow trees, which skirted the banks of a narrow stream, the branches of which, in most cases, turned the arrows of the Indians aside. A second volley of rifle-shots soon followed, and while reloading for a third, the smoke slightly cleared away, showing that consternation had spread among the ranks of the Indian warriors, and that they were gathering up their wounded, preparatory to retreating.

In a few minutes the hill-sides were clear. On emerging from their shelter, all the adventurers saw of the band by which they had been attacked, was three of them weltering in their blood, a bow or two, some empty quivers, and a few scattered feathers and tomahawks, lying on the ground.

On gaining the eminence from whence the approach of the Indians had been descried, they were discovered in full retreat in an opposite direction, and the party immediately proceeded to the camp, fully prepared to find both Story and José murdered. The former, however, advanced to meet them unhurt. He stated that while he was superintending the browning of the venison, and José was filling the water-cans, he suddenly saw several of their horses driven off by Indians on horseback, and immediately afterwards a party of nearly forty ran rapidly past, apparently without seeing him. As for José, he concealed himself up to the neck in the water.

Deep anxiety as to the fate of the hunting party was now experienced. The day wore on without any of them making their appearance. In the course of the night, however, Lacosse, Bradley, and the old trapper returned; but without

M'Phail, who had unaccountably disappeared about three-quarters of an hour before their arrival at the camp.

Three hours having elapsed, and no news of M'Phail, at one o'clock in the morning a party set out in search of him. On arriving at the place where he was last seen, no traces of him could be found; and, seeing that further search before daybreak would be fruitless, they dismounted, and wrapping their saddle-cloths round them, and placing their saddles for pillows on the ground, were soon asleep, under the guardianship of sentinels. Their rest was of short duration. Several fires on the hill-sides betokened a camp, very probably that of the Indians who had stolen their horses, and attacked them in the morning. It was resolved to attack them. Horry was appointed to take charge of the horses, when within a short distance of the camp. In the advance, Bradshaw was wounded by the accidental discharge of his own rifle. It was painful, but, fortunately, only a flesh-wound. The party were about to fire, when they were suddenly saluted, in the true British vernacular, with the exclamation "D——n your eyes, who goes there?" They had stumbled on an encampment of emigrants, who had crossed the Sierra Nevada from the United States; and the exclamation saved their lives, though in the course of the subsequent proceedings they were lost sight of, and probably made all haste to escape from such a vicinity.

While the party were thus engaged, and the Doctor was bandaging the leg of the wounded man, they heard a loud shout from the lad Horry, followed by faint groans, and at the same instant several horses galloped by at full speed, followed by half a dozen mounted Indians. It was the remainder of their own steeds being driven off to join those stolen in the morning. They levelled and fired, reloaded and fired again; and in the midst of a chorus of screaming from the emigrant camp, and the bellowing of the retreating Indians, started off in pursuit, and succeeded in turning their animals round.

On returning to the spot where Horry was left in charge of the horses, they found that after being killed, he had been scalped by the savages. This naturally produced a feeling of horror in the party, accompanied by a desire for vengeance on

those who had killed the poor lad. Joe White, especially, promised to send an ounce of lead through the first redskin he met outside the clearings.

Day broke at last on this eventful night. The body of Horry was wrapped in a blanket and conveyed to the camp, where they found that M'Phail had not yet returned. Sorrowfully they set to work, to dig the grave of their late companion. Malcolm read the burial-service of the English Prayer-book over him. A pine log was sawed off, which was inserted in the ground, and on the smoothed upper part they carved, in rude letters, his name and the date of his death.

The defences of the camp were strengthened, and several unsuccessful searches were made for M'Phail, besides pursuing the business of gold-seeking in the immediate vicinity of the camp. The week's yield was good, frequently averaging four ounces of gold dust and flakes per man. On the Thursday M'Phail made his appearance, accompanied by two friendly Indians, dressed in a fantastical Spanish costume, and was of course joyfully received. The explanation of his absence was, that he had turned aside to water his horse at a small rivulet, and on his return waited for his comrades, whom he conceived to be still in the rear. Finding his mistake half an hour afterwards, he galloped after them in what he conceived the right trail, but found he had lost himself. After in vain attempting to recover the track, he laid his head on his saddle, and went supperless to sleep. When he awoke, he found his horse had broken from its tether and strayed. The search for it was fruitless, and he was obliged to wander about at random, suffering the severest privations, because, though he saw numerous herds of elk, he had no rifle. He tried in vain to find some edible roots, and was reduced to the necessity of chewing grass and the pith of elder trees. This was succeeded by sickness and nausea of the most gnawing and horrible description. He became so weak that he could scarcely stand. At length, at sunset on the third day of his wanderings, he laid himself down and fell into a state of stupor, from which he expected only to wake in the agonies of death. In this state he was discovered by the two friendly Indians, who behaved with great humanity to him, and guided him to the

camp on the evening of the second day after they found him, showing that with all his wanderings he had never reached any great distance from the camp.

The excitement produced by these events somewhat unfitted the party for regular labour. The rainy season approached, and sickness began to show itself in the camp. On the 29th three men were laid up, and the stock of drugs was nearly exhausted. The provisions had also run very low, nearly the whole of the flour being exhausted, and the hunting expeditions being their sole dependence.

At the commencement of September, the danger of keeping so large a quantity of gold in the camp was discussed. Some proposed to keep it, always leaving a proper guard upon the look-out, until the party finally returned in a body to the settlements. Don Louis and Bradley opposed this, and volunteered to take the gold themselves to San Francisco, or to Monterey, forthwith, and to place it in the custody of some merchant there. This opinion gained ground, though Story proposed that a guard should accompany them as far as the Sacramento Valley. Bradley and Don Louis, however, to the surprise of the party, opposed this as unnecessary, and it was then recollected that no one had seen Captain Sutter's receipt for the gold formerly deposited by Bradley in his care. On being asked for the receipt, Bradley said he had the misfortune to burn it; having, during a halt he made at Weber's Creek, struck a light for his cigar, and incautiously used the receipt for that purpose. This produced considerable suspicion and alienation among the party, and it was finally arranged that Malcolm should accompany them.

The party started on the 5th of September, Malcolm having the strongest horse and the bulk of the gold. Don Louis and Bradley carried as much as they could in their saddle-bags. The first carried about seventy pounds weight; the two latter, eighteen pounds weight each. To relieve Malcolm's horse, three of the party, who were to act as an escort till within a few miles of the Sacramento Valley, carried fifteen pounds each.

They were watched; and shortly after the return of the escort to the camp, Bradley and Don Louis returned to it with-

out Malcolm. "My friends," exclaimed Bradley, "a sad disaster, the best part of the gold is gone, lost beyond a doubt." "Lost," said Dr. Brooks. "How? I don't believe it. I never will believe it. Where is Malcolm?" "Dead by this time, I am afraid," exclaimed Bradley. "Good God!" I exclaimed aloud, and involuntarily muttered to myself, "Then, you have murdered him." I noticed that Bradley examined the countenances of the whole party by turns, and as my eye followed, I saw that every one looked sullen and angry.

Don Louis gave the following explanation of the circumstances under which the party lost this large proportion of the fruits of their labours:—

"He informed us," says Dr. Brooks, "that, after we had parted from them, they put their horses into a quick trot, to escape as soon as possible into a more agreeable-looking sort of country. They suspected some vagabond Indians were hovering about, and as the ground they were travelling over afforded too many opportunities of concealment to gentry of their character, they were anxious to reach a more open district. Their road lay, for several miles, over a succession of small hills, intersected by valleys covered with stunted oak trees, and with here and there a solitary pine. Just at a point, when they were winding round a ridge of hills, which they imagined separated them from the Sacramento Valley, having a small skirting of timber on their left hand, he, Don Louis, being slightly in advance of Bradley and Malcolm, happened to turn his head round, when he saw a horseman stealthily emerging from the thicket, at a point a short distance in their rear. In a very few moments another horseman joined the first, and before Don Louis could give an alarm, the second rider, who, it seems, was an Indian, had risen in his saddle and had flung out his lasso, which, whizzing through the air true to its aim, descended over Malcolm's head and shoulders. Don Louis, who saw all this, immediately jumped from his horse, and, placing his finger on the trigger of his rifle, fired just as the Indian was galloping away. The ball entered his horse's head, when the beast was brought to a stand, and, in a second of time, rolled over with its rider beneath it, just as the noose had tightened, and Malcolm was

being drawn off his horse to the ground. Bradley, who only knew of the danger they were in by hearing the lasso whirl through the air, immediately dismounted, and, like Don Louis, sheltered himself behind his horse, while he took aim and fired. His never-failing rifle brought down one of their enemies, a swarthy-looking man in the usual Mexican sombrero, off his horse to the ground. In the twinkling of an eye they led their horses behind some boulders of granite which afforded them cover, and from behind which they saw four men come charging down upon them. But Bradley and Don Louis, skilled in this kind of warfare, had already stooped down and reloaded. Don Louis was the first to let fly at the advancing party, but without success. His shot was answered by a discharge of rifles from the enemy, which whistled over his and Bradley's heads. Crack went Bradley's rifle again—'And you would have thought,' says Don Louis, 'that the ball had split into four pieces, and had given each man a tender touch, for they wheeled round their horses in an instant, and galloped off, driving Malcolm's horse before them, which we never saw again.'

"Don Louis then went on to say, that as soon as they saw the coast was clear, they left their cover and sought out Malcolm, who was lying on the ground with the lasso tightly pinioning his arms, and to all appearance dead. On a closer examination, however, they found that he still breathed, and also that he had been severely trampled on by some of the horses of the robbers in their retreat. Bradley pulled out his bowie-knife and cut the lasso in a few moments, when they tried to raise him up, but found that the injuries he had sustained prevented him from standing. He was, in fact, quite insensible. At that moment they were alarmed by the sound of voices, and looking round they saw a party of horsemen riding up at full speed from the direction of the Sacramento. They gave themselves up for lost, but, to their delight, the new-comers proved to be a party of miners, who hearing so many rifle-reports in such rapid succession, had immediately hastened to the spot. Don Louis supposed that the robbers had seen their approach, and that this, and not the bullet from Bradley's rifle, had been the cause of the scoundrels' precipi-

tate retreat. They found the Indian's horse, to the saddle of which the lasso was attached, quite dead. The Indian himself had managed to crawl off, though doubtless much hurt, as Don Louis saw the horse roll right over him. The body of the robber shot by Bradley was found; life was quite extinct, the ball having passed through his chest in a transverse direction, evidently penetrating the heart. He was recognised by some of the miners—natives of the country—as one of the disbanded soldiers of the late Californian army, by name Tomas Maria Carillo; a man of the very worst character, who had connected himself with a small band of depredators, whose occupation was to lay in wait at convenient spots along the roads in the neighbourhood of the sea-coast, and from thence to pounce upon and plunder any unfortunate merchant or ranchero that might be passing unprotected that way. The gang had now evidently abandoned the coast to try their fortune in the neighbourhood of the mines; and, judging from the accounts which one of the miners gave of the number of robberies that had recently taken place about there, their mission had been eminently successful.

"Our first care," continued Don Louis, "was to see to poor Malcolm, and our next object was to go in pursuit of the ruffians. On intimating as much to our new friends, to our surprise they declined to render us any assistance. Their curiosity, which it seems was the only motive that brought them towards us, had been satisfied, and I felt disgusted at the brutality of their conduct when they coolly turned their horses' heads round, and left us alone with our dying friend, not deigning further to notice our appeals to them for assistance. No, they must set to work again, digging and washing, and we might thank ourselves that their coming up had saved *our* lives; this was the burthen of their reply. In their eager pursuit of gold, they had not a moment to spare for the commonest offices of Christian charity. At length," said Don Louis, "in answer to my passionate expostulations, backed by the offer of any reward they might demand—which offer alone gave force to my words—two of them consented to return in about an hour with a litter to convey Malcolm to their camp.

"The litter they brought was formed of branches of trees tied together, and covered thickly over with blankets. On this Malcolm was slowly borne down the hill-side, until a rude shanty was reached. He was carried inside, and we were fortunate enough to meet with a kind Californian woman, who promised to attend on him while we returned here for your assistance."

During Don Louis's recital I did not for one moment think of the gold which we had lost; all my sympathies were with my poor friend. But, at the conclusion of Don Louis's narrative, I saw that but few of my associates participated in my grief. Don Louis was immediately assailed with inquiries rudely addressed to him in reference to the missing gold. In reply, he stated that we all knew that Malcolm carried in his saddle-bags the great bulk of the gold they were conveying to San Francisco; and that, of course, when the robbers drove off the horse, the gold went with it. "It is the Doctor you have to thank for that," growled Bradley; and though I could not see the matter in this light, still I could not help thinking of my own distrustful disposition, which, in reality, had been the cause of making Malcolm a party to the conveyance of the treasure: this, in fact, had in all probability sacrificed my friend's life. I thought of his poor wife and children in Oregon, who would be waiting in vain for his return, which he, poor fellow, had delayed so long, in the hope of going back to them laden with wealth. Throughout the whole of the night most of the party remained gathered around the camp-fire—now in sullen silence, and now expressing their bitter dissatisfaction at the arrangements which had led to the day's misfortune. And when the first faint light of daybreak showed over the tall peaks of the snowy mountains, it discovered us looking haggard and dejected, alike wearied and disgusted with everything around.

Thoroughly disheartened by this unfortunate event, the proposal was made, that the adventurers should at once break up their party, share the stock of gold still remaining, and that those who preferred it might make their way to the settlements, while the others might continue working, if they pleased, on their own account. Accordingly, the stock of



gold was collected and weighed. It amounted to nearly forty-two pounds weight, which gave exactly four pounds two ounces to a man—value 700 dollars. This, with 650 dollars, the Doctor's share of the gold deposited with Captain Sutter, the dust scales and lumps arising from his share in the cradles, and the produce at the Mormon diggings before Lacosse and Biggs joined the party, left a gross amount of something over 1500 dollars, or little more than £300, as the reward for all the toil, discomfort, danger, and difficulty which he had experienced and encountered. Besides which, he was still far from the coast and settled part of the country, and the expense of reaching there had to be deducted from the amount named.

The greater part of the morning was occupied with squabbles connected with the weighing and division of the gold, and at length the party broke up. Four of them, for various reasons, resolved to remain a few days longer, and though there was danger in their doing so, they did not seem to fear it; and even if they had, most of the party had grown so selfish and unaccommodating, that they would not have met with much sympathy.

On the way down to the coast they found an immense change in its appearance. Numerous colonies of gold-washers were spread over districts where, in their upward route, not a soul was to be seen. The baggage horses and packs were stolen during one night that they rested near one of these colonies.

On making inquiries at several of the tents, they were treated in a very cavalier sort of manner. No one, of course, knew anything about their horses and packs, and one big bony American even threatened to put a rifle-ball into them unless they left his shanty. This was rather too much for them to swallow quietly, so they rated the fellow in round terms; but he very coolly reached his rifle down from a shelf above him, and told them that he would give them time to consider whether they would move off or not while he examined his flint, and if they were not gone by that time, he would make a hole in each of their skulls, one after the other. Finding

that he was coolly preparing to carry out his threat, they made their exit, and found some ten or twelve people gathered together outside. From one of them they learnt that this man had shot two people since he had fixed himself at this spot, and that he was a terror to most of the miners in the camp. It appears to have been no uncommon thing among them for a man to settle a quarrel by disabling his adversary. There were several people at work down by the river, with their arms in slings, who had received serious injuries in their quarrels with some of their fellows.

They thought it best to escape from such a state of things with as little delay as possible, and immediately mounted their horses and pursued their journey. That night they took good care to encamp far enough off from any of the gold-finding fraternity.

On arriving at the rude shanty where the wounded Malcolm had been left, he was found to be recovering, though still suffering severely; there the other portion of the party left the Doctor to attend to his friend, while they pushed on to Sutter's Fort, with the promise that he would rejoin them in a few days, if Malcolm so far recovered as not to need his services.

While thus occupied in attending upon his wounded friend, he spent a good part of his time among the gold-washers, but without any disposition to take part in their labours. Sickness and selfishness were the predominant characteristics.

"I stayed with Malcolm throughout the next few days, and spent a good part of my time out of doors among the gold-washers, but still felt no inclination to take part in their labours. Fever was very prevalent, and more than two-thirds of the people at this settlement were unable to move out of their tents. The other third were too selfish to render them any assistance. The rainy season was close at hand, when they would have to give over work, but meanwhile they sought after the gold as though all their hopes of salvation rested on their success. Deaths were continually taking place, and the living comrades of those whose eyes were closed in that last sleep where 'the wicked cease from troubling and the

weary are at rest,' denied the poor corpses of their former friends a few feet of earth for a grave, and left the bodies exposed for the wolf to prey upon."

The kind treatment of Malcolm by his Californian nurse and her husband, offered a striking contrast to the callous selfishness around. In two days he was sufficiently recovered to enable the Doctor to leave him. On his march along the banks of the Sacramento, towards Sutter's Fort, he found several colonies of gold-seekers. At some of them, the rapidly decaying vegetation was producing a rank malaria, and sickness was doing its ravages, but still the poor infatuated people, who were not prevented by positive inability, worked on until they sunk under the toil. Every one seemed determined to labour as hard as possible for the few remaining weeks before the rainy season set in, and the result was, that many of them met their deaths—others sought to enrich themselves by a quicker process.

"According to the accounts I heard," says Dr. Brooks, "life and property were alike insecure. The report ran, that as soon as it became known that a man had amassed a large amount of gold, he was watched and followed about till an opportunity presented itself of quietly putting him out of the way. There had been but few known deaths, but the number of persons who had been missed, and whose own friends even had not thought it worth while to go in search of them, was very large. In every case the man's stock of gold was not to be found in his tent; still there was nothing surprising in this, as every one made a point of carrying his gold about him, no matter how heavy it might happen to be. One or two dead bodies had been found floating in the river, which circumstance was looked upon as indicative of foul play having taken place, as it was considered that the poorest of the gold-finders carried a sufficient weight of gold about them to cause their bodies to sink to the bottom of the stream. Open attempts at robbery were rare; it was in the stealthy night time that thieves prowled about, and, entering the little tents, occupied by not more than a couple of miners, neither of whom, in all probability, felt inclined to keep a weary watch over their golden treasure, carried off as much of it as they could lay

their hands on. By way of precaution, however, almost every one slept with their bag of gold underneath their pillow, a rifle or revolver within their reach."

At Sutter's Fort they found that the leader of the band of desperadoes who had robbed them, with some of his companions, had been there a few days before. They learned that his name was Andreas Armjo, and that Tomaso Maria, who had been shot, was his lieutenant. Ascertaining also that upon leaving the Fort he had taken the road to the coast, the party started off in pursuit of him, and had constant tidings of El Capitano all along the route, he and his band being too well known by their track of plunder. On arriving at San Francisco it was ascertained that there was not a merchant vessel in port with enough hands on board to weigh the anchor. Every ship had been more or less deserted by its crew, who had hastened off for a few weeks' labour at the gold-diggings. They found, however, that Andreas Armjo and his men had been making inquiries on board of several of the vessels to ascertain when any of them left port. On finding none were sufficiently manned to do so, they offered the captain of one schooner a thousand dollars to land them at any port in Mexico he pleased, and said they would themselves help to work the ship. The captain however declined the offer.

After receiving this intelligence, they went to the house of the first alcalde, to consult with him on what steps should be taken to arrest the robbers, who were then doubtless at some place near the coast. They found, however, that he had gone to the mines with the rest of the people, and they made their way to the residence of the second alcalde, in the hope of being more fortunate; but he too had gone to the mines with his superior. Further inquiries satisfied them that there was not an officer of justice left in the town of San Francisco, and they therefore determined to make their way forthwith to Monterey, as, in all probability, the gang would proceed there in the hope of meeting with a ship.

At Monterey fresh traces of those they were in pursuit of met them, but the Captain and the gold were not forthcoming. The gang had taken the great Spanish trail to Santa Fe, and the adventurers, after engaging a guide, followed them, riding

hard three days ; when, finding the robbers were at least two days' journey before them, and that they were getting at the same time nearer a hostile country, they gave up the chase, turned their horses' heads, and retraced their steps towards the coast in sullen silence, only broken by expressions of disappointment at the escape of those who had robbed them of the fruits of so many months' toil, exposure, and hardship.

On the journey they resolved to part company, when they reached the sea-coast ; there was no longer any object for their keeping together as a party, and their future plans were of course very undecided. This resolution was not come to without something of a pang, more or less experienced by all. They had lived for four months in constant companionship ; had undergone hardships and dangers together, and a friendship more vivid than will be imagined in civilised lands to have been the growth of so short a period, had sprung up between them. There had been a few petty bickerings among them, and, as Doctor Brooks candidly confesses, some unjust suspicions on his part in respect of Bradley ; but these were all forgotten ; and though prudence suggested the propriety of separation, regret was felt by all

On arriving at Monterey the party dispersed. After having arranged the division of the proceeds of the gold left with Captain Sutter for consignment there, they had a supper at night, at which a melancholy species of jollity was in the ascendant. Next morning, Doctor Brooks found himself alone, with fourteen hundred dollars remaining, and everything at a rate of prices that would absorb that sum in a couple of months, consoled by the hope that on the return of the dry season, his next gold campaign might be a more successful one. The result of his experience as a gold-finder is summed up in the following sentence :—" It is easy to get gold here, but very difficult to keep it. In fact, after all, the affair is a hazardous lottery ; and those who may succeed in getting off with their pounds of gold dust and flakes to Europe, or to the United States, will be the few who will win the great prizes."

## CHAPTER IX.

*Life in the 'Diggings' concluded.—Perils and sufferings encountered by emigrants.—Plenty of Gold, but hard work and high prices for provisions.—Rapid growth of San Francisco.—Astonishing prices of Building Lots.—Description of Californian Scenery.—San Jose.—Colonel Fremont's mines on the Mariposa Creek.—Stockton, a new town on the San Joaquin.—The Mokelumne 'Diggings.'—Abundance of Gold.—"Lynch Law," and security of property in the Mines.—Hospitality in the "Diggings."—Gambling.—Adventures of an Artist on the Middle Fork (Sacramento) Mines.—Expenses of a Gold-Digger.—£31 for eight hours' work.—Beneficial results of Temperance.—Death of a Gold-Digger from Starvation.—Average earnings of the Diggers.—Experience of a New York Lawyer: Gold-digging not so profitable or pleasant as law-suits; hard work, short commons, and moderate returns.—Singularly-shaped piece of Gold taken from the Calaveras "Diggings."—General results as to the average amount to be gained by Gold-Diggers.—Agricultural industry the most permanent and profitable occupation, in the end.*

THE experience of subsequent gold-hunters does not materially affect the somewhat disheartening conclusion of Doctor Brooks's narrative. The information which reaches this country, either through public or private channels, still substantially corroborates the opinion, that even in California gold-finding is "a hazardous lottery," and that, however plentiful the metal may be, it will be only a "few who will win the great prizes."

But this consideration has not been powerful enough to check a stream of emigration to the Pacific shore of the American Continent; such as has, perhaps, never been paralleled in the history of the world for its magnitude, and the various countries which have poured forth their contingents to swell the masses of emigrants, who have pressed forward to

this attractive region, undeterred by the toil, suffering, danger, and expense which must be undergone in order to reach it.

An American emigrant, writing from San Francisco, under date of the 22nd of August, 1849, gives a graphic account of the sufferings endured by himself and party, *en route* to the El Dorado. They sailed from Mazatlan in a schooner named the "Dolphin," towards the Sandwich Islands, for eighteen days, having been put upon two quarts of water a day. At last the passengers insisted, as the winds were against them, that the captain should make for the nearest land. This he did, in the hope of making San Diego; but, instead of that port, only reached an island in the bay of San Sebastian, in Lower California, where they found no water. They found, also, that the mainland was difficult to reach, on account of the surf which eternally roars and breaks on the coast; and the allowance having been reduced to one quart a day, water was sold on board at half-a-dollar, three-quarters of a dollar, and even as high as a dollar, or four shillings and twopence of our money: there were plenty of buyers, and but few sellers, at that price. At last they succeeded in landing, and having determined to push on by land, they struggled for four days, guided only by the sun during the day, and the North Star at night, through the bare, untrod, bushy, burning hills of Lower California, sometimes without water and sometimes with it. "At last," says the writer, "on the fifth day, May the 3rd, we discovered what proved to be the old Cortez California Coast Road, and sat down to rest and bless our stars, and found that our provision was gone, and that some had none for the last day, so we made a general dinner—in fact, gave a feast in honour of our luck, which licked up everything, except our boots, which was eatable in the party. On the second day, in the mountains, at about nine in the morning, we sat down to rest, having been travelling since before sunrise, and then threw away everything in the shape of lumber—such as new coats, satin vests, dress boots, kid gloves, India-rubber blankets, powder, shot, shirts, extra knives, and even rice and jelly—so that now seeing all our provisions were gone, we had no burden to carry beyond our blanket and rifle. We were lightly laden, in and out, and ought to make long journeys.

“Next morning we started before breakfast, although we got but a light dinner the day before, and neglected supper in order that we might make a rancho by noon, when we supposed our appetites would be thoroughly sharpened, so that the Indians, or Californians—or whomever we might first fall in with—should not shave us, by charging two shillings each for a breakfast of beef and tortillas. About ten, when it got too hot to travel, we lay down in the shade of the towering cactus, which grows to the height of fifty, sixty, and seventy feet here. There was no rancho, however, and some of us began to feel a little hungry; some fell to eating the Turk’s-head cactus. This does not taste pleasant, and whether it allays hunger, or not, I cannot say, as I felt about the same, whether I eat it or not. A friend and myself were in luck, for, through the kindness of a friend who shot it, we were enabled to dine off a rattle-snake. We eat him, bones and all, but not without salt. Started at five, and made a little spring before sundown. We saw an old stud horse at a distance, and went after him and brought him into camp. He was a good, kind horse, for he never attempted to run; yes, he did, too, now that I think of it, but then he did not run from us. He had a very sore back, and the eagles and crows were hovering around him, in anticipation of a gorgeous feed soon; therefore, to save him the trouble of dying, we shot him; and, to save the noble bird of America the trouble of feeding on him, we eat him. Not that *we* had any particular desire to devour him, but our appetites struggled for him, and for peace sake we handed him over. We roasted and eat, and eat and roasted, from dark to twelve o’clock, and went to bed on full stomachs for once in six weeks—all but poor Bob Melville; he and I skinned the ‘critter,’ and he got such a distaste for horse-flesh, that he went to bed sick and did not eat. All eat at will, but in the morning the remainder was portioned out, with the suggestion to eat the ribs for breakfast, and jerk the remainder for future use, as no one knew how far we were from, or how near we were to, succour. We stopped next day until evening, preparing the old horse for the road, and started off in the evening, leaving Robert Melville, of Newark, and one of the Clarks, of the same place, sick and unable to pro-



ceed. Two or three friends stayed with them, who could occasionally shoot a dove, or a covey of quail, as they came there to water. Travelled that night until ten o'clock, P.M., and had to go to sleep without finding water. At nine next morning, May 5, found water at some two miles off the road, where we stopped until evening.

"May 6th.—Made the mission of San Fernando at ten A.M. and rushed into the old house at such a rate, that a Sonorian who was travelling to the 'diggings,' with his family and thirteen servants, rushed into the church to hide or save themselves. We soon showed them that we were friends, and began to relate our mishaps, horse story and all, and showed him some of the beef. 'Ah,' said he, 'that is the horse which I left there ten days ago, because he could not go any further.' He had been seventy-five days from Guaymas, on the south point of the peninsula, to this place. He had nothing for us to eat, but gave some of us a little pinola (corn meal dried and mixed with sugar), and told us that three poor Indians lived a little way up, who had some wheat. To the Indians we went, and found that the wheat was in the straw, and the straw standing on the ground, but fully ripe. We told the Indians we were hungry (for one of us spoke Spanish) but they did not seem to care, but sat still, as meek and as lightly clad as Power's 'Greek Slave,' with the exception of a cotton handkerchief, which was used as a 'breech cloth." They had nothing for us to eat, as they seem to pull it as they want to eat it. Some went into the wheat-field, and soon pulled and thrashed a quantity, and made them by threats and promises burn and grind it. Then we boiled it in water and soon had a meal."

The party at length succeeded in reaching San Francisco, and the writer, in a subsequent letter, dated from the *Casa de Libertad*, on the banks of the Stanislaus, on the 7th of October, 1849, gives the following sketch of that part of the country, and the position of the gold-finders.

"A new mine has just been discovered here, and so far as I have seen or heard, it is the richest yet found in California. I have seen gold to the value of sixteen, and as much as eighteen dollars, taken from one pan, or about a shovelfull-and-a-half of dirt; and persons working there told me that

they have taken three ounces from a single pan. I think, however, from a day's observation, that the dirt which they wash averages one dollar a pan, and that those working there average ten dollars per day. The mine, or rather the part now working—for the whole country around here is a mine—covers some four or five acres along the sides of the gently sloping hills, and on the flat of the ravine. The gold is found from five to fifteen feet below the surface, among hard dry clay, thickly imbedded with white flint and small granite stones. It is the hardest digging I ever saw, and it is impossible to suppose that the gold ever sank from the surface, or was washed by water to where it is found. The gold is not regular, but in veins or drifts, and one hole may contain but a few dollars, while the one next it may produce hundreds. There are some four hundred people, mostly Chilians, Canakas, and Sonorians, working it; but others are coming to it every day. The nearest water is fully a mile from the mine, and the Americans have to carry the soil thus far to wash it, while the Chilians, &c. understanding dry washing, extract the gold on the spot. If water were at hand, a man, by faithful labour, might average twenty to twenty-five dollars per day. I think it can hardly be worked in the rainy season, for the water laying in the holes that will then be there, will likely flow into any new ones that may be made. It bids fair to be worked up before that time comes, or at least the best portion of it. It is the most regular mine I have heard of, and it is decidedly the richest yet known—for the creeks, ravines, and rivers where the rains and streams have been accumulating the gold for centuries, cannot decently be called *mines*.

"The amount of gold in California *cannot*, I think, be exaggerated, but the facilities of obtaining it *may*, and have been. As I said before, however, an able worker may be pretty sure of earning five dollars for every eight to ten hours' faithful labour for the next two or three years. More is to me doubtful. New and richer mines may be discovered, which, of course, will make a difference. Hundreds, nay, thousands have come here with high hopes of picking up, with a knife and spoon, a fortune in a few months. They are to be pitied, for it is hard to descend at once from a golden castle in the air down to the solid earth, and dig into the bowels for the

matter of five or six dollars per day. Such men are discontented, sick of the mines, and home-sick, (this is the prevailing disease here,) and hence they leave, often without putting in a mattock, or lifting a shovel, for San Francisco, or some other place where they may have a chance of making the best of their way home. It would have been well if gold-seekers generally had not expected to make by the hardest work, more than four to eight dollars per day, then the right class would have come, *if they could have got* here, and those unused to hardy toil, and making a comfortable living, would have staid at home. Clerks, lawyers, doctors, students, &c., are not exactly the best fitted to dig for gold. The hard-fisted mechanic and sinewy farmer, are the true Argonauts. Many make their "first appearance" here as if they had come out in a band-box, addressed, "this side up, with care." It is generally their last appearance also, for they mostly seek some other way of earning a livelihood.

"This place is exceedingly healthy. I have known or heard of but one case of fever and ague and two of scurvy since I have been here, and even these were caused by the imprudence of the sick themselves. The doctors get nothing to do professionally, and therefore many of them have 'thrown physic to the dogs,' and all dig for gold like other folks. But honest labour is not considered disgraceful here. The gold in the creeks is pretty well cleaned out, and the diggers are turning their attention to the dry digging.

"The springs are beginning to give out, and the water tastes decidedly sulphurish. The water in the creeks too is stagnant, and by no means odoriferous. But with care there is no danger of losing health. Everything is quiet here (we have no women nor lawyers among us, not that we would object to having the former,) and everybody seems peaceably disposed. Our friends at home need not fear any dangerous difficulty between us and the foreigners here. If the Caucasians wish the Malays (for the distinction is white from yellow) to leave, their wish, when properly expressed, will be complied with. But no such feeling prevails here. If, however, they were to commit any overt act, feelings might, and, I believe, would change. But this is not likely, for having

been driven off the Towoleme, and, I believe, the Mercedes, they are polite, obliging, and attentive to what they say or do. There is plenty of room for us all, and gold too, if we will only work for it, and we are not disposed to fight either for fun to ourselves, or for the pleasure of others. Every necessary can be had here and at fair prices. The accumulation of money here consists not so much in what you earn, as in what you do not spend. The old, or last year's diggers here, as a general thing, have no money, although they made from fifty to two hundred dollars every day they worked. Now they will not work for less than an ounce per day, when they can't make that, they go 'prospecting,' or look for better diggings. They made their money easily and they spent it freely, and if a man is so disposed there is no place in the world where he can get rid of the dross quicker than here. To make money and keep it, one must be industrious and frugal. Thousands will return to the States poorer every way than when they left; and thousands will never return at all, but lay them down here to rest for ever, without a mark to tell of their birth or death, their virtues or their vices. But some people will die anywhere, and it matters little to the progress of humanity whether they cease to exist on the shores of the Pacific or Atlantic. Other thousands will return better in purse, in mind, in morals—better every way than when they left."

A correspondent of the "New York Herald," in a communication dated the 3rd of August, says:—

"The stories I read before leaving New York of the abundance of the gold are all correct. The gold placer is inexhaustible. It does not follow that every emigrant that seeks will find it—or finding, will live to return with it.

"There is nothing doing at the mines now; fever prevails there to an alarming extent. No person should come here under the impression that he can dig a fortune in a year. From the most authentic accounts, I have every reason to believe that the average of all who actually work does not amount to ten dollars per day. Every pound of bread he eats will cost him from one to two dollars. There are no such things as vegetables to be had; and game is few and far between. Those who keep stores near the mines are the persons that

make the large fortunes, not the digger: and young men should not leave home to undertake such a life without considering the chances. House-carpenters can obtain ten to sixteen dollars per day, freely; labourers can get one dollar per hour, when working, or eight dollars per day. Every one that can aid in building up or decorating houses, or can do hard work, can find plenty of it at seven or eight times the ordinary wages of New York. Money is plentiful; I have seen more coined money here than I have ever seen before."

"It is not to be denied," says another very recent writer, "that a trip to California is no joke. After an adventurer arrives there, unless he has a great deal of money, or its equivalent in self denial, and an iron constitution, he is doomed to great suffering. A couple of weeks' residence at San Francisco is so expensive that it will eat up many hundred dollars. The journey to the mines is tedious and difficult. After he arrives at them he finds the ground has been very thoroughly explored, and all the best places "prospected" and occupied. If he starts off for any new spot, he is in danger of starving to death. What he can gather he has to expend for food at very exorbitant prices, and now and then a hug from a grisly bear, or an arrow from some unseen bow, concludes the journey. In the wet diggings, if he has strength to bear the labour of digging, stooping, and washing, he is obliged to be constantly in the water: in the dry, he is exposed to a hot sun, or to the most piercing cold. Very many give up in despair, after the first attempt, and make their way back as soon as possible to the settlements, often doomed to certain death when they arrive, by attacks of the dysentery, the change of climate and its labours.

"And yet there are thousands who endure all this and more, and acquire fortunes in a very short time. The gold is inexhaustible, but human life is precarious. Illustrative of this, let me relate an anecdote. Not long since a party of Philadelphians went to work on a place near the Yuaba river, and after working for some weeks, settled up their accounts, and were losing fifteen dollars each. They left in disgust, and sold out their right to another party at a little distance, who were getting out a thousand dollars per day. These last,

after the Philadelphians had left, repaired to their new purchase, and by digging only one foot deeper, struck a vein equally as profitable as the other.

The "New York Tribune," a highly respectable and influential journal, contains an exceedingly interesting narrative of a tour in California and Mexico, by Mr. Bayard Taylor, one of the editors. He landed from the steamer Panama at San Francisco, on the 18th of August, 1849, after a voyage and journey of seven thousand miles, performed in fifty-two days, and he remained in the country for upwards of four months, during which period he made numerous excursions, frequently going over the same ground at different periods, so that his letters present a vivid picture of the rapid changes which took place under the influence of so large an immigration.

Mr. Taylor thus describes the first appearance of San Francisco:—"The view extended all around the curve of the bay, and hundreds of tents and houses appeared, scattered all over the heights, and along the shore for more than a mile. A furious wind was blowing through a gap in the hills, filling the streets with clouds of dust. On every side stood buildings of all kinds, begun or half-finished, and the greater part of them mere canvass sheds, open in front, and covered with all kinds of signs, in all languages. Great quantities of goods were piled up in the open air, for want of a place to store them. The streets were full of people, hurrying to and fro, and of as diverse and bizarre a character as the houses: Yankees of every possible variety, native Californians in *sarapes* and *sombreros*, Chilians, Sonorians, Kanakas from Hawaii, Chinese with long tails, Malays armed with their everlasting creeses, and others in whose embrowned and bearded visages it was impossible to recognize any nationality. We came at last into the plaza, and made for the Parker House, a two-story frame building on the lower side. At the corner above, the American flag was flying from a pole in front of the Custom House.

"No place was to be had, but through a friend we succeeded in obtaining lodgings at the City Hotel, at twelve dollars a week each, board twenty dollars a week additional. A room containing two cots, two chairs, and a table, was given to two

of us ; some of the passengers, less fortunate, paid three dollars in another place for the privilege of sleeping on the floor. The fare was ample and of excellent quality—fine fresh bread, cream, capital butter, and Californian beef, which is the best in the world.

"I set out for a walk before dark, and climbed a hill at the back of the town, passing a number of tents pitched in the hollows. The scattered houses spread out below me, and the crowded shipping in the harbour, backed by a lofty line of mountains, made an imposing picture. The restless, feverish tide of life in that little spot, and the thought that what I then saw and would see, will hereafter fill one of the most marvellous pages of all history, rendered it singularly impressive. The feeling was not decreased on talking with some of the old residents (that is of six months' standing), and hearing their several experiences. I heard and saw, and was forced to believe, yet I am almost afraid to write, hoping that it will be generally believed. Let me give a few instances of the enormous and unnatural value put upon property here at present.

"The Parker House, a building forty feet front by about sixty deep, rents for 110,000 dollars yearly. At least 60,000 dollars of this is paid by gamblers, who hold nearly all the second story. Adjoining it on the right is a canvass tent, fifteen by twenty-five feet, called "El Dorado," and occupied by gamblers, which brings 40,000 dollars. On the opposite corner, a building called the "Miners' Bank," used by Wright and Co. brokers, brings 75,000 dollars. It is about half the size of our fire-engine houses at home. On the left of the Parker House, a small two-story frame building, which is just finished, has been taken at 80,000 dollars. The second story contains eight gaming tables, each of which pays two hundred dollars a night. The United States Hotel pays 36,000 dollars ; the Post Office 7,000 dollars, and so on to the end of the chapter. A friend of mine, who wished to find a place for a law-office, was shown a cellar in the earth, about twelve feet square and six deep, which he could have at two hundred and fifty dollars a month. The owner came here about three months ago, without enough money to pay his passage ; he is now worth 20,000 dollars. One of the common soldiers at the

battle of San Pasquale is now among the millionaires of the place, with an income of 50,000 dollars monthly. A noted firm has 110,000 dollars loaned out at ten per cent. a month! and could easily dispose of double the amount in the same way. A citizen of San Francisco died insolvent last fall, to the amount of 41,000 dollars. His administrators were delayed in settling his affairs, and his real estate advanced so rapidly in value meantime, that after his debts were paid his heirs have a yearly income of 40,000 dollars. These facts are indubitably attested. Every one believes them, yet hearing them talked of daily, as matters of course, one at first cannot help feeling as if he had been eating of 'the insane root.'

'What I saw that night and yesterday satisfied me that the half is not yet told. Business was over about the usual hour, and then the harvest-time of the gamblers commenced. Every "hell" in the place, and I did not pretend to number them, was crowded, and immense sums were staked at the monte and faro tables. A boy of fifteen, in one place, won about five hundred dollars, which he coolly pocketed and carried off.

"The prices paid for labour are in proportion to everything else. The carman of Mellus, Howard, and Co., has a salary of six thousand dollars a year, and many others make from fifteen to twenty dollars daily. Servants get from one hundred to two hundred dollars a month, but the wages paid for the rougher kinds of labour has fallen to about eight dollars. Yet, notwithstanding the number of gold-seekers who return enfeebled and disheartened from the mines, it is difficult to obtain workmen. The cost of building a house is even greater than ever, and ready-made houses command almost any price. A friend of mine bought from the owner, at Panama, a small frame house, which had been shipped on board the bark *Hersilia*, at New-York. He paid six hundred dollars, which was probably treble its first cost. On reaching here, he found the vessel at anchor in the harbour, and sold his house at once for four thousand dollars. A gentleman who came here in April, told me he found but thirty or forty houses; the population was then so scant, that not more than twenty-five persons would be seen in the streets at any one



time. At present (that is, in August last) there are probably five hundred houses, tents and sheds, with a population, fixed and floating, of six thousand. People who have been absent six weeks come back and do not recognize the place. Streets are regularly laid out, and already there are three piers, at which vessels can discharge. Owing to the number of arrivals, however, immense sums are made by lightering goods ashore. It is calculated that the town is increased daily by from fifteen to thirty houses. Its skirts are already spreading up towards the summits of the three hills on which it is located.

"A curious result of this extraordinary abundance of the precious metal, and the facility with which fortunes may be made, struck me at the first glance. All business is transacted on so extensive a scale, that the ordinary habits of solicitation and compliance on the one hand, and stubborn cheapening on the other, are entirely forgotten. You enter a shop to buy something; the owner eyes you with perfect indifference, waiting for you to state your want; if you object to the price, you are at liberty to leave, for you need not expect to get it cheaper. He evidently cares little whether you buy it or not. Some one who has been longer in the country will do so, without wasting words. The only exception I have found to this rule, was that of a sharp-faced Down-Easter, just opening his stock, who was much distressed when his clerk charged me seventy-five cents for a coil of rope, instead of one dollar. This disregard for all the petty arts of money-making is really a pleasant feature of society here. Another equally agreeable trait, is the punctuality with which debts are paid, and the general confidence which all (Americans at least) seem to have in each other's honesty. Perhaps this latter fact is owing, in part, to the impossibility of protecting wealth, and the consequent *forced* dependence on an honourable regard for the rights of others.

"Walking through the town yesterday, I was quite amazed to find a dozen persons busily employed in the streets before the United States Hotel, digging up the earth with knives, and crumbling it in their hands. They were actual gold-hunters, who obtained in this way about five dollars a day.

After blowing the fine dirt carefully in their hands, a few specks of gold were left, which they placed in a piece of white paper. A number of children are employed in this way, who pick out the fine grains, by applying to them the head of a pin, moistened in their mouths. A small boy yesterday took home fourteen dollars as the result of his day's labour. On climbing the hill to the Post Office, I observed in places, where the wind had swept away the sand, several glittering dots of the real metal; but, like the Irishman who kicked the dollar out of his way, concluded to wait till I should reach the heap. The presence of gold in the streets is probably occasioned by the leakings from the miners' bags and the sweepings of the stores; though some are inclined to think it native in the earth. At any rate, it is a most remarkable sight."

Mr. Taylor started immediately after his arrival for the Pueblo San José, Stockton, and the Sonorian mines, in company with Colonel Lyons, and Lieutenant Beale, officers of the United States army. To give an idea of his outfit as a mountaineer, and its cost in the shops of San Francisco at that period, it may be mentioned that good blankets were sold at six dollars (twenty-four shillings), a pair of boots about the same, coarse flannel shirts three dollars, Mexican spurs five dollars.

The distance from San Francisco to Stockton is 150 miles. Mr. Taylor, like all other travellers in California, describes the appearance of the country through which he passed, as being most beautiful, and the soil exceedingly fertile, though depending very much upon irrigation in the dry season. At one part of his ride, he says:—

"The character of the scenery was entirely new to me. The splendid valley, untenanted except by a few solitary rancheros, living many miles apart, seemed to be some deserted location of ancient civilization and culture. The wooded slopes of the mountains are lawns, planted by nature with a taste to which art could add nothing. The trees have nothing of the wild growth of our forests; they are compact, picturesque, and grouped in every variety of graceful outline. The hills are covered to the summits with fields of wild oats, colouring them as far as the eye can reach with tawny gold,

against which the dark, glossy green of the oak and cypress shows with peculiar effect. As we advanced further, these natural harvests extended over the plain, mixed with vast beds of wild mustard, eight feet in height.—Under this, a thick crop of grass had sprung up, furnishing subsistence to large herds of cattle. The only cultivation I saw was a small field of maize, green, and with good ears. The intense dryness of the warm season, however, will render good crops impossible, except along the edge of the marshes."

On their way they passed through Pueblo San José, now one of the most flourishing inland towns in California, and which has since been selected to be the seat of the legislature for the State. It is situated about five miles from the southern extremity of the bay of San Francisco, and in the mouth of the beautiful valley from which it derives its name. The valley, fifteen miles in breadth, is well watered, and may be made to produce the finest wheat crops in the world. It is perfectly level, and dotted all over the surface with clumps of magnificent oaks, cypresses, and sycamores. A few miles westward there is a large forest of redwood, or California cypress, and the quicksilver mines of Santa Clara are in the same vicinity. Sheltered from the cold winds of the sea, the climate is like that of Italy. The air is a fluid balm.

Buildings were rapidly running up, and the prices of town lots ranked next to those charged for building-ground at San Francisco. A person who kept the "Miners' Home," after having dug ten thousand dollars at the mines, invested the whole of it in erecting his tavern, and told Mr. Taylor he was making his fortune, a fact of which the traveller felt no doubt, after being favoured with a specimen of his charges.

At San José, Mr. Taylor called upon Colonel Fremont, to whose exploring expeditions the world is so much indebted for the geographical, topographical, and geological description of California. He had then a party of fifteen men, working on the Mariposa Creek, and who dug one hundred pounds of gold in the first twenty-eight days. They had then some difficulty with the hostile tribes who inhabit that part of the mountains, which, in connexion with the rush of miners to the Mariposa, had somewhat checked their operations.—Fremont's

rancho is in the same locality, and there are some rich placers on it, which would be valuable, except that private property is no more respected by the diggers than that of the government. Colonel Fremont, however, has commenced a better business, in the establishment of a steam saw-mill at Pueblo San José. The forests of red wood close at hand, make fine timber, and he had a year's work engaged before the mill was in operation. Since the time referred to by Mr. Taylor, the rocks on Colonel Fremont's rancho, or estate, have been found to be richly charged with gold. It has been taken from the quartz in large lumps of pure metal, and will, in all probability, be one of the best mines in the country, when the process of regular mining is commenced.

Stockton is situated on the San Joaquin, in the heart of California. In the winter of 1848, a solitary rancho stood in the midst of Tule marshes, where, in August, 1844, Mr. Taylor found a canvass town of three or four hundred inhabitants, and a port with twenty-five vessels at anchor! The mingled noises of labour around—the click of hammers and the grating of saws—the shouts of mule drivers—the jingling of spurs—the jar and jostle of wares in the tents, might have led to the belief that it was some old commercial mart, familiar with such sounds for years past. Four months only, had sufficed to make the place what it was; and in that time a wholesale firm (one out of a dozen) had done business to the amount of one hundred thousand dollars. The same party had just purchased a lot 180 feet by 100, on the principal street, for six thousand dollars. The cost of erecting a common one story clap-board house on it would be fifteen thousand dollars.

Leaving Stockton, the party pushed on to the mines on the Mokelumé river. We give the account of his journey to these "diggings," and what he saw there, in his own words:—

"Leaving soon after sunrise, we entered the hills. The country was dotted with picturesque clumps of oak, and, as the ground became higher and more broken, with pines of splendid growth. Around their feet were scattered piles of immense cones, which had been broken up for the sake of the spicy kernels they contain. Trails of deer could be seen on all the hills, leading down to chance green spots in the

hollows, which a month ago furnished water. Now, however, the ground was parched as in a furnace; the vegetation snapped like glass under the hoofs of our mules, and the cracks and seams in the arid soil seemed to give out an intense heat from some subterranean fire. In the glens and *canadas*, where the little air stirring was cut off, the mercury rose to  $110^{\circ}$ ; perspiration was dried as soon as formed, and I began to think I should soon be done 'to a turn.'—After travelling fourteen miles, we were joined by three mountaineers, and turned from the main road into a faint trail leading over the hills to this place. The winding *canon* up which we passed must be a paradise in Spring; even now the dry bed of the stream is shaded by trees of every picturesque form that a painter could desire. Crossing several steep spurs, we reached the top of the 'divide' overlooking the Mokalumé Valley, and here one of the most charming mountain landscapes in the world opened to our view. Under our very feet, as it seemed, flowed the river, and a little corner of level bottom, wedged between the bases of the hills, was dotted with the tents of the gold-hunters, whom we could see burrowing along the water. The mountains, range behind range, spotted with timber, made a grand, indistinct background in the smoky air—a large, fortress-like butt, toward the Cosumé River, the most prominent of all. Had the atmosphere been clearer, the sunny crown of the Nevada, beyond all, would have made the picture equal to any in Tyrol.

"Coming down the almost perpendicular side of the hill, my saddle began to slip over the mule's straight shoulders, and, dismounting, I waded the rest of the way knee-deep in dust. Near the bottom we came upon the Sonorian Town, as it is called, from the number of Mexican miners encamped here. The place, which is a regularly laid-out town of sapling houses, without walls and roofed with loose oak boughs, has sprung up in this wilderness in three weeks. There are probably 300 persons living in or near it. Under the open canopies of oak we heard as we passed along, the jingle of coin at the monte tables, and saw crowds gathered to watch the progress of the game. One of the first men Lieutenant Beale saw was Baptiste Perrot, a mountaineer who had been in his party last

winter. He keeps a hotel here, and soon had us comfortably installed for the night.

"Our first move was for the river bottom, where a number of Americans, Sonorians, Kanakas, and French were at work in the hot sun. The bar, as it is called, is nothing more nor less than a level space at the junction of the river with a dry arroyo or "gulch," which winds for about eight miles among the hills. It is hard and rocky, with no loose sand except such as has lodged between the large masses of stone, which must of course be thrown aside to get at the gold. The whole space, containing about four acres, appeared to have been turned over with great labour, and all the holes slanting down between the broken strata of slate, to have been explored to the bottom. No spot could appear more imposing to the inexperienced gold-hunter. Yet the Sonorians, washing out the loose dust and dirt which they scrape up among the rocks, obtain from ten dollars to two ounces daily. The first party we saw had just succeeded in cutting a new channel for the shrunken waters of the Mokahumé, and were commencing operations on about twenty yards of the new bed, which they had laid bare. They were ten in number, and their only implements were shovels, a rude cradle for the top layer of earth, and flat wooden bowls for washing out the sands. Baptiste took one of the bowls which was full of sand, and in five minutes showed us a dozen grains of bright gold. The company had made in the forenoon about three pounds: we watched them at their work till the evening when three pounds more were produced, making an average of seven ounces for each man. The gold was of the purest quality and most beautiful colour. When I first saw the men, carrying heavy stones in the sun, standing nearly waist-deep in water, and grabbing with their hands in the gravel and clay, there seemed to me little virtue in resisting the temptation to gold-digging; but when the shining particles were poured out lavishly from a tin basin, I confess there was a sudden itching in my fingers to seize the heaviest crowbar and the biggest shovel. One of the party, Mr. Kelly of New York, showed me several beautiful specimens of the metal, which appeared to have been formed in a state of fusion over pieces of white quartz.

"A company of thirty, somewhat further down the river, have made a much larger dam, after a month's labour, and have a hundred yards of the bed clear. They commenced washing yesterday afternoon and obtained ten pounds. This morning, however, they quarrelled, as most companies do, and finally applied to Mr. James and Dr. Gillette to settle the difficulty, by having the whole bed washed out at their own expense and taking half the gold. As all the heavy work is done they can finish it in ten days and will make a little fortune by the operation. Many of the Americans here employ Sonorians and Indians to work for them, giving them half the gold and finding them in provisions. Notwithstanding the enormous prices of every article of food, these people can be kept for eighty-seven-and-a-half cents a day—consequently, those who hire them profit handsomely.

"In the "gulch" a great deal of dry digging is still done, though the richest deposits have been exhausted. Still, I am informed that an ounce daily is made by most of the workmen, and if the digger is lucky enough to strike on a "pocket" or well among the rocks, he may take out from one to two thousand dollars in a day or two. The metal frequently lies deep, and many instances are told of men who have dug two or three days and given up in despair, while others, coming after them and working in their holes, have taken out thousands of dollars in a short time. I saw a man last night, who came here three weeks ago, without money, to dig in the dry gulch. Being very lazy, he chose a spot under a shady tree, and dug leisurely for two days without making a cent. He then gave up the place, when a little German jumped into his tracks, and after a day's hard work weighed out eight hundred dollars. The unlucky digger then borrowed five ounces and started a boarding-house. The town has so increased that last night he sold out his share (one-third) of the concern for 1,200 dollars. Men are not troubled here by the ordinary ups and downs of business. If a person loses his all, he is perfectly indifferent; two weeks of hard work will give him enough to start on, and two months, with the usual luck, will quite reinstate him.

"The largest piece found at this place weighed eleven pounds. Mr. James, who has been here since April, showed me a lump

weighing sixty-three ounces—pure unadulterated gold. He commenced this morning the largest operation of the season, by which about a hundred yards of the river will be turned into a race, and several deep eddies made dry. It will take the twenty persons who are employed on it, a month to complete the race, after which from five to twelve feet of water must be pumped out of the old bed. The treasure lodged in this part of the river will certainly richly repay the undertaking. While bathing last night in its Pactolean waters, I saw several Mexicans wash out a good yield from the sand banks.

"After we had taken the sharp edge off our curiosity, we returned to our quarters. Doctor Gillette, Mr. James, Captain Tracy, and several other of the largest operators, entertained us with a hospitality as gratifying as it was unexpected. I learned many interesting facts from them in relation to the success of gold-hunters, and the chances of loss or gain in the various diggings. In the evening we sat down to a supper prepared by Baptiste and his partner, Mr. Fisher, which completed my astonishment at the resources of this wonderful land. Here, in the rough depths of the hills, where three weeks ago there was scarcely a cent, and where we expected to live on jerked beef and bread, we saw on the table green corn, green peas and beans, fresh oysters, roast turkey, fine Goshen butter and excellent coffee. I will not pretend to say what they cost, nor how they came there, but I begin to think that the fable of Aladdin was nothing very remarkable after all. The genie will come and has come to many whom I have seen; but the rubbing of the lamp—ay, there's the rub. There is nothing in the world so hard on the hands.

"Wherever there is gold there are gamblers. Here there are at least a dozen monte tables, all of which are frequented at night by the Americans and Mexicans. I am now writing on a corner of one of them, under the canopy of boughs, with three mules standing near, and two disheartened diggers sitting on the opposite side, exchanging condolence. The Sonorians leave a large portion of their gold at the gaming tables, though it is calculated they have taken ten millions of dollars out of the country this summer. The excitement against them prevailed also on this river, and they were once



driven away. They have since quietly returned, and in most cases work in companies, for the benefit and under the protection of some American.

"I slept soundly last night on the dining table, and went down early to the river, where I found the party of ten baling out the water which had leaked into the river-bed during the night. They were standing in the sun, and had two hours' hard work before they could begin to wash. Again the prospect looked uninviting, but when I went there two hours ago, one of them was scraping up the sand from the bed with his knife, and throwing it into a basin, the bottom of which glittered with gold. Every knifeful brought out a quantity of grains and scales, some of which were as large as the fingernail. At last a two-ounce lump fell plump into the pan, and the diggers, now in the best possible humour, went on with their work with great alacrity. Their forenoon's digging amounts to nearly six pounds. It is only by such operations as these, through associated labour, that great profits are to be made in those districts which have been visited by the first eager horde of gold-hunters. The deposits most easily reached are soon exhausted by the crowd, and the labour required to carry on further work successfully, deters single individuals from attempting it. The two persons opposite to me at present have been digging all day in the dry gulch, without finding anything. One of them, whose means are exhausted, has just engaged to work for a company at seven dollars a day, preferring the certainty of mere support to the uncertainty of sudden wealth. Those who return home disappointed say they have been humbugged about the gold. The fact is, they have humbugged themselves about the *work*. If they expect to make money out of the earth without severe labour, they are woefully mistaken. Of all the classes of men those who pave streets and quarry limestone, are best adapted for gold-diggers.

"Doctor Gillette, to whom I am indebted for many kind attentions, has related to me the manner of his finding the rich gulch which attracted so many to the Mokalumé diggings. About six weeks ago, Doctor Martin and himself came down from the upper bar, to "prospect" for gold among the ravines

in this neighbourhood. There were no persons here at the time except some Indians belonging to the tribe José Jesus. One day at noon, while resting in the shade of a tree, Doctor G. took a pick and began carelessly turning up the ground. Almost on the surface, he struck and threw out a lump of gold of about two pounds weight. Inspired by this unexpected result they both went to work, labouring all that day and the next, and even using part of the night to quarry out the heavy pieces of rock. At the end of the second day they went to the village on the upper bar and weighed their profits, which amounted to twenty-eight pounds. They started again the third morning under pretence of hunting, but were suspected and followed by the other diggers, who came upon them just as they commenced work. They continued, however, to dig for a week or two, and took out about fifty pounds more. The news rapidly spread, and there was soon a large number of men on the spot, some of whom obtained from twelve to eighteen pounds per day, at the start. The gulch has been well dug up for the large lumps, but there must still be great wealth in the earth and sand, and several operators only wait for the wet season to work it in a systematic manner. Doctor Gillette estimates that about 2,000 pounds (more than 400,000 dollars) have been taken out within six weeks. Those who are now working in the dry sand, do not average more than one-and-a-half ounces daily.

"From all I can see and hear, there is as much order and security here as can be attained without a civil organization. The inhabitants have elected one of their own number Alcalde, before whom all culprits are tried by a jury selected for the purpose. Several thefts have occurred, and the offending parties been severely punished after a fair trial. Some have been whipped and cropped, or maimed in some other way, and one or two of them hung. Two or three, who had stolen largely, have been shot down by the injured party, the general feeling among the miners justifying such a course when no other seems available. We met near Livermore's rancho, on the way to Stockton, a man whose head had been shaved and his ears cut off, after receiving 100 lashes, for stealing ninety-eight pounds of gold. I have questioned the miners to some

extent regarding their opinion as to the punishment of criminals, and have found all, with one exception, in favour of the plan adopted at Stockton—that of hanging every person found guilty after a fair trial.

“It may conflict with popular ideas of morality, but, nevertheless, this extreme course appears to have produced good results. In fact, in a country without not only bolts and bars, but any effective system of law and government, this Spartan severity of discipline seems the only security against the most frightful disorder. I am told that there are now few thefts committed, except some petty acts of larceny. Horses and mules are sometimes taken, but the risk is so great that such plunder cannot be carried on to any extent. The camp or tent is held inviolate, and like the patriarchal times of old, its cover is a protection to all it incloses. Among all well-disposed persons there is a tacit disposition to make the canvass or pavilion, of rough oak-boughs, as sacred as once were the portals of the church.”

Mr. Osgood, an artist, describes his adventures as a gold-hunter in the journal from which we have taken the preceding interesting particulars. After giving a vivid account of the difficulties encountered on the way to the “diggings,” he describes “Ford Hill,” on the Middle Fork, where he first commenced his labours: they were obliged to clear away the rocks, and with pick-axes and shovels level a place to camp upon. From the tents the hill rose upwards of a thousand feet, so steep that a stone would scarcely lie upon the slope; the slate rocks exhibited their ridges, and, wherever root could be found, the small scrub oaks grew out nearly at right angles with the hill. The place was shut in on all sides by lofty hills, and the sensation of the narrator was that of a prisoner who could not escape; nor was the spell broken until, six weeks after, he placed his feet on the hill, on his way to buy more provisions. On the first day he essayed the task of a gold-hunter, he worked about five hours, and only took out about three dollars and a half; the next day he was more fortunate, realizing about five dollars, board in the meantime costing four dollars a day. As his experience in the use of the gold-washing utensils

increased, however, his earnings increased also. He used a machine for washing the gold, constructed to perform the work of a cradle, but capable of being worked by one person. On finding a place that he thought would pay for working this portable machine, which weighed thirteen pounds, he laid a foundation of flat stones wherever the rockers would play well, and so near the water, that it could be easily reached with a dipper formed of a small tin pan, or gourd, tied by the rim to the forked branch of a tree. (The gourd is preferable, as being the lightest). He then commenced washing the dirt which had been washed before by other gold-hunters, once, if not twice, and from it succeeded in extracting from twenty to thirty dollars a day, working hard about eight hours. After this he used the machine instead of the pan, whenever he found earth enough to make it an object. It is generally thought that the yield is two-thirds more. At first, Mr. Osgood states, that he suffered from soreness in every muscle in his body, and especially in his back and knees, in consequence of being all the time in a stooping posture. But, after a few weeks, he became so accustomed to the position that he suffered no longer. He grew much stronger, and enjoyed prolonged and uninterrupted sleep at night, a luxury which, he states, he had not had for years previously. Sometimes he cleared off the loose stones from the top of the rocks, and sweeping the dust up with a broom made of some of the pine boughs, he has washed ten and twelve dollars from these sweepings in a day. But the richest places he ever found were in the bars, where the sand had been washed up at some slight turn of the river. In these places deep digging is required, from two to six feet; but the labour is frequently well paid. Mr. Osgood, on several occasions, found rich veins, streaks, or crevices. One of these was a place he and hundreds were in the habit of passing daily. He was, to use his own phrase, "prospecting one morning," when he struck his shovel into this place, and set his machine in motion. He washed about four hours, and, on weighing his gold, found that he had gathered only two dollars and a half. That would not pay; but he returned in the afternoon, determined to dig deeper through the top sand and

river drift—as he did so he found more gold, and as he approached the rocks at the bottom, after four hours more, he had got an ounce, nearly four pounds sterling. The next day he returned to the same hole, having left his implements there over night. He took out two ounces, and by that time had removed most of the gravel, and was near the rocky bottom. When he commenced on the third morning, he carefully removed the remainder of the gravel from the clay which lay upon the top of the rocks, and discovered the clay nearly covered with particles of gold about the size of cucumber seed, which he carefully gathered. He gathered eight ounces in eight hours, or nearly £31 sterling! The next day paid nearly as well; but in five or six days he had worked it out, and had to seek another spot to recommence his labours. Such streaks were, however, not met with often. Occasionally, he dug the dust out of crevices with his long iron spoon and trowel, and found eight or nine dollars' worth in a place not larger than one's finger. It was curious to see how it buried itself in the very depths of the interstices, as if to elude search. Out of such places it was taken with a sheath-knife, which was always worn in the belt used instead of suspenders, and to which was often attached that very useful article in the "diggings," a long iron spoon, employed both to cook and mine with. After leaving the Ford-hill mines, with the locality of which Mr. Osgood appears anything but delighted, he tried the "diggings" at the North Fork, but does not seem to have been very successful, and encountered not a few dangers and hardships. One thing seems to have been greatly in his favour, his abstinence from all intoxicating drinks. During the whole time he was at the mines he drank nothing but water, and was confirmed in his previous resolution to do so, by witnessing, in too many cases, the brutalising effects of liquor. The severe labour and exposure at last did its work. The artist, after upwards of two months thus spent, found himself ill; every bruise he had received since he embarked in the life of a gold-hunter, became inflamed. His leg, which he had hurt on the rocks two weeks before, became very lame, so that he could not stand upon it without great suffering. He went to work, to the best of his ability, to reduce the inflam-

mation, thinking of a poor fellow whose leg was hurt, who became ill and unable to help himself, and after a time was deserted by his companions and found afterwards dead, with his tin pan beside him, and on it, scratched with a knife—"God! help! help! starvation!" Mr. Osgood was more fortunate. He found his way back in safety, with his gold, to San Francisco, and there secured more congenial, and not less profitable employment, in painting portraits at Californian prices. One of the most popular of his productions was a portrait of Captain Sutter, at whose mill-stream the discovery of the gold was first made. As the general result of his own experience, Mr. Osgood states, that the average earnings of the diggers are not more than seven or eight dollars a day. Writing from San Francisco, on the 30th of August, 1849, he says: "Think twice, before you come here. At present there is much sickness at the mines; the water is warm, and has considerable decayed vegetable matter in it. The bilious fever, fever and ague, and severe diarrhœa and dysentery, are the prevalent diseases."

A New York lawyer, who deserted his green bag in search of a fortune at the mines, gives the result of his two months' experience of them, in a letter to his friends; the prospects at the diggings, he candidly confesses, were not so flattering as they appeared at New York. The company he was with had realised very little above the expenses of living, having averaged only about four dollars a day. The work was very laborious for this amount. They rose at four o'clock, took breakfast, consisting of coffee, "flap-jacks," and sometimes meat; worked till twelve, rested an hour or two, and then worked again till sun-down. Six of them, with a machine, washed about three hundred pans of dirt in a day. They frequently worked two or three days and found no gold; then, again, they took from half-an-ounce to eight ounces a day. "It is," says the writer, "all a lottery. If a man is fortunate, he will strike a vein, and take from two to twenty pounds weight out of a hole. But this happens very seldom. The gold runs very irregularly, and can be procured only by hard labour, equal in every respect to that of sewer or canal digging."

Nor was this hard life softened by any luxuries, or mitigated by abundance. Provisions were high; and, in order to live as cheaply as possible, the party eat nothing but "flap-jacks," meat, and coffee—morning, noon, and night. To make money was their object—not eating. "All miners eat, sleep, and live like hogs. We sleep on the ground, covered with dust and dirt; our table on the ground, among ants and bugs of all descriptions. I have not slept one single night without my clothes since I left home." In short, the lawyer had not mended himself by deserting the more certain money-making profession of law for that of a gold-hunter.

The "Alta California," and the "Placer Times," two Californian newspapers, under the head of "Placer Intelligence," give, however, a somewhat different account as to the average amount of gold realised per day at the various mines. On the North and Middle Forks, the miner who worked hard averaged an ounce. The tributary streams of the San Joaquin seem to be rich in the precious metal. Besides the Mokalumé diggings, described by Mr. Taylor, there are gold-washings on the Cosumé, Calaverus, Tirolomne, and Stanislaus streams. From all these, the last intelligence states the average result of labour was encouraging. A writer from Stockton says:—"I saw a piece of gold, taken from the diggings on the Calaverus, not very far from Stockton. It was the most singular, and, at the same time, the most beautiful piece I have yet seen; shaped like the head of a bullock, with a pair of clear, solid, golden horns, more than an inch long."

A careful consideration of the varied intelligence presented by different individuals, and the columns of the journals which receive direct information from the mines, leads to the general conclusion, that the average amounts realised are not more than from one-half to one ounce a day; and that hard labour must be practised to procure that. There are numerous instances in which miners have obtained, in a few hours, several pounds of gold. Such cases, however, are rare, though they are more frequently heard of than the ill-luck of tenfold the number who do not average more than half-an-ounce per day. The "Placer Times" says, however, "Much of the success of the gold-hunters depends upon sobriety. By tem-

perance, avoidance of exposure to the night air, and proper attention to diet, conjoined with a capacity for discriminating the geological indications of the placers, and a due amount of industry, the toil of the gold-seeker will generally meet with a favourable return. In the end, however, it will be found, that the most profitable occupation will be the development of the immense and varied agricultural and productive resources of the country; and when the gold fever has ceased, that will probably be the destination of the large proportion of emigrants.

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## CHAPTER X.

*Aboriginal population of California, at the time of the discovery of the Gold Mines.—General inferiority to the Indian Tribes east of the Rocky Mountains.—Imperfect social organisation.—Religious ideas.—Periodical Migrations in search of food.—Native Villages.—Occupations and Festivals.—Courage and Endurance.—A Tribe without dwellings or regular means of subsistence.—Interesting account of two Tribes considerably advanced in civilization; the Pimos and Maricopas.—Indian Agriculture and Manufactures.—Indian Languages spoken in California.—Discovery of ancient and extensive Ruins.—Indian Traditions as to the race who erected and lived in them.—A new and mighty Empire arising on the grave of an extinct one.—Unprecedented influx of population from all parts of the World.—Chinese Emigrants for the first time brought into contact with the Western World.—Chinese Cooks, Hotel-keepers, and Builders; their industry, temperance, and cleanliness.—Land-jobbing, and high price of Town lots.—Large number of new Cities projected.—Principal Towns already in existence, and rapidly increasing in wealth and population.—San Francisco.—Fire, and extensive destruction of property.—Sacramento*



*City.—Picturesque Appearance at its commencement.—Enormous value of Town lots.—Unhealthy Site.—Gambling.—High Wages for all kinds of Labour.—Destructive Inundation, and extensive loss in consequence.—Stockton City on the San Joaquin.—Benicia, rival to San Francisco.—Beautiful Situation, and nearer the Gold Country.—Military and Naval Station for the Bay.—New York of the Pacific; an abortion.—San Jose, seat of Government and the Legislature.—Rush of population, and consequent extraordinary increase in the price of Town lots.—New Towns springing up on all the rivers.—Introduction of river steamers, and increased facilities for travelling.—Distance to which the Californians send their washing.—Influx of Shipping from all quarters.*

PERHAPS there is not a chapter in the whole history of mankind which presents such abrupt and marvellous transmutations, as those which have followed, and are likely to follow, the discovery that the mountains, rocks, and valleys of Alta California are so richly charged with auriferous ore. Mr. Seward, the Governor of the State of New York, speaking in the Senate at Washington, on the 11th of March, 1850, tersely and truly described the magnitude, the rapidity, and the incalculable importance of the changes which have taken place in the position and the future destinies of this region:—"Four years ago, California, scarcely inhabited, and quite unexplored, was unknown even to our usually immoderate desires, except by a harbour, spacious and tranquil, which only statesmen then foresaw would be useful in the Oriental commerce of a far distant, if not merely chimerical, future.

"A year ago, California was a mere military dependency of our own, and we were celebrating with enthusiasm and unanimity its acquisition, with its newly-discovered but yet untold and untouched mineral wealth, as the most auspicious of many and unparalleled achievements.

"To-day, California is a State, more populous than the least, and richer than several of the greatest of our thirty States."

This is not mere metaphor, or the unconscious and perhaps allowable exaggeration of an orator, carried away by the warmth of his imagination. It is a fact, stated with all the soberness which a fact of such an overwhelming nature is susceptible of. Future generations will look back to the discovery of the gold "placers," which lie between the Sierra Nevada and the Pacific, and the rapid peopling of the region, as one of the most wonderful and astonishing events upon record. In truth, at no previous period would it have been possible to have effected, in so short a space of time, the migration of such a mass of human beings to a remote and not easily accessible part of the world. Not the least curious part of the subject, therefore, is to mark the part which the discoveries of modern science and mechanism have played in this extraordinary drama, and that which they will yet bear. The steam printing-machine and the newspaper press have spread the knowledge of the new El Dorado far and wide, among all classes of persons, in all lands. The steam-engine, applied to navigation, has borne from all climes hosts of emigrants, eager to join in the race for gold. Railways and the electric telegraph will, in due season, connect the Pacific with the Atlantic States of the American continent.

Before discussing the present state and future prospects of the region thus suddenly and largely peopled, it may not be uninteresting or unimportant, to give a sketch of the aboriginal tribes, who were its principal inhabitants previous to this influx of gold-hunters, and of their modes of living.

The fullest account yet presented of the habits of the Indian tribes west of the Rocky Mountains, is that contained in the *Ethnographical Remarks* of Mr. Hale, philologist to the United States' Exploring Expedition. The number of copies of the book published by Congress, was limited to one hundred, most of which have been deposited for safe keeping in the States' Libraries, or other public institutions, and therefore the information is not generally known. Mr. Hale appears to treat most largely of the Oregon Indians; but from various portions of Colonel Fremont's *Narrative*, it is evident that the Californian tribes belong essentially to the same family, and have the same general characteristics—if, indeed, in their

periodical migrations, they do not indifferently make a temporary abode in both countries.

As a general rule, the Indians west of the Rocky Mountains are inferior to those east of that chain. In stature, strength, and activity, they are much below them. Their social organisation is more imperfect. The two classes of chiefs, those who preside in time of peace, and those who direct the operations of war—the ceremony of initiation for the young men—the distinction of clans or totems—and the various important festivals which exist among the eastern tribes, are unknown to those of Oregon. Their conceptions on religious subjects are of a lower cast. It is doubtful if they have any idea of a Supreme Being. The word for *God* was one of those originally selected for the vocabulary, but it was found impossible, with the assistance of the missionaries, and of interpreters well skilled in the principal languages, to obtain a proper synonym for this term in a single dialect of Oregon. Their chief divinity is called the *Wolf*, and seems, from their descriptions, to be a sort of compound being, half beast and half deity.

The mode of life of the Oregon Indians, especially those of the interior, is so peculiar, that it is difficult to determine how it should be characterised. They have no fixed habitations, and yet they are not, properly speaking, a wandering people. Nearly every month in the year they change their place of residence—but the same month of every year finds them regularly in the same place.

These periodical and regular changes are caused by the search for food. Esculent roots of various kinds grow without cultivation in sufficient quantities to support a considerable population. At certain seasons the natives subsist entirely upon them. Several kinds of berries and fruits are found at other seasons in great abundance, and are another cause for a temporary change of place. At a particular season of the year, the salmon ascend the rivers to deposit their spawn, and then the Indians assemble in great numbers on the banks of the streams, to take them. Two months afterwards the fish appear again, floating in an exhausted condition down the current, and, though by no means so agree-

able for food, are yet taken in large quantities, principally for winter stores. These two seasons of fishing are the occasions of two removals.

The tribes near the coast remove less frequently than those of the interior. Some of them spend the summer on the sea shore, and the winter in a sheltered nook on the banks of an inland stream. Others do not change their place of residence at all; but, at the approach of summer, they take down the heavy planks of which their winter habitations are made, and bury them in the ground, where they will be out of the way of injury. Entering upon those wide tracts of land over which the Indian tribes lie scattered, we occasionally meet, on the banks of the various streams, at the head of the smaller valleys, and amid patches of cultivation, with the rude native village, composed of a group of conical huts, consisting of a wooden frame thatched with straw, grass, or reeds, and about six feet high. There is a considerable degree of comfort to be observed in many of these simple dwellings, where the Indian, with his wife and children, enjoys life after a fashion of his own. The commonest food satisfies his humble wants; the hunt and the simple festival are sufficient for his amusement. On the occasion of rejoicing, the tribe gathers together, after nightfall, round a lofty pole, surmounted with a scalp. A chorus, rising from a confused hum to a species of wild roar, is commenced, when the assembled crowds begin dancing and leaping round the trophy, each endeavouring to surpass the rest in extravagance of gesture. Blazing fires light up the scene; the dancers now whirl round in its shade, now plunge into the obscurity of the woods. The orgies are often continued until dawn, the performers exciting themselves to frenzy, until, wearied in body and with exhausted spirits, they one by one fall to the ground, and the spot which echoed with their wild mirth, soon witnesses the repose of the whole tribe.

Considerable ingenuity, and a species of industry, may be remarked among this primitive people. Travelling through their woods, we find ladders of peculiar construction placed against the pine trees for the nut-gatherers. The men are busy with the collection of the fruit; the women are employed, some

cutting rushes in the valleys and by the river banks ; others manufacturing them into baskets ; others carrying away those baskets as they are filled. Other members of the tribe, again, scatter themselves over the fields, to collect the edible grass and seed ; others engage themselves at the villages, erecting new dwellings, or excavating the earth to form a "sweathouse," the most important medical agent in use among them. It consists of a deep hole, roofed with planks, where, with a huge fire kindled in the midst, the Indian lies until a profuse perspiration streams from his body. The hunters, meanwhile, proceed into the woody valleys, in search of deer and the hogs which fatten on the acorn harvests. Clothed with roughly dressed skins, and armed with bows and arrows of enormous length, with their highly-rouged cheeks and general wild appearance, they present, when pushing through the forests in search of game, an extremely characteristic spectacle. The food thus obtained, and the grass-seed, and acorn-bread, with the fruit to be found everywhere, forms a sufficient, though not very nourishing sustenance. Yet the Indians appear to enjoy content, and as content constitutes happiness, we might look in vain over many portions of the world's surface before encountering a tribe to whom this world gives so little, and who nevertheless enjoy so large a share of felicity.

The Indian tribe, after dwelling on one spot for a considerable period, hunting, collecting fruit, harvesting the acorns, grass seed, and, in fact, living on the spontaneous gifts of the soil, must, from time to time, as has been already said, shift its locality, in order to secure plenty without the labour of cultivation. Accordingly, having availed themselves of the choicest productions of the surrounding land, they depart, abandoning their huts, which are generally erected on, or near, the banks of a stream. The deer again return to their haunts, and congregate about the deserted tenements ; the beaver builds in the river ; the wild fowl again people its waters, until another tribe arrives, in the course of time, to settle upon the neglected site. Numberless deserted villages, or ranchieros, exist in the interior districts. They are now reduced to mere skeletons of wood-work ; the grass springs up within and

had scarcely commenced before this place formed a perfect menagerie, into which crowded with eager eyes, Pimos, Maricopas, Mexicans, French, Dutch, English, and Americans. As I passed on to take a peep at the scene, naked arms, hands, and legs protruded from the awning. Inside there was no room for bodies, but many heads had clustered into a very small space, filled with different tongues and nations. The trade went merrily on, and the conclusion of each bargain was announced by a grunt and a joke, sometimes at the expense of the quarter master, but oftener at that of the Pimos.

"We procured a sufficiency of corn, wheat, and beans from the Pimos, but only two or three bullocks, and neither horses nor mules. They have but few cattle, which are used in tillage, and apparently all steers, procured from the Mexicans. Their horses and mules were not plenty, and those they possessed were prized extravagantly high. One dashing young fellow, with ivory teeth and flowing hair, was seen coming into our camp at full speed, on a wild unruly horse, that flew from side to side as he approached, alarmed at the novel apparition of our people. The Maricopas, for he was of that tribe, was without saddle or stirrups, and balanced himself to the right and left, with such ease and grace, as to appear part of his horse. He succeeded in bringing his fiery nag into the heart of the camp. He was immediately offered a very advantageous trade by some young officer. He stretched himself on his horse's neck, caressed it tenderly, at the same time shutting his eyes, meaning thereby that no offer could tempt him to part with his charger.

"To us, it was a rare sight to be thrown in the midst of a large nation of what is termed wild Indians, surpassing many of the Christian nations in agriculture, little behind them in the useful arts, and immeasurably before them in honesty and virtue. During the whole of yesterday, our camp was full of men, women, and children, who sauntered amongst our packs, unwatched, and not a single instance of theft was reported.

"I rode leisurely in the rear, through the thatched huts of the Pimos; each abode consists of a dome-shaped wicker-work, about six feet high, and from twenty to fifty feet in diameter, thatched with straw or corn stalks. In front is

usually a large arbour, on top of which is piled the cotton in the pod, for drying.

“ In the houses were stowed water-melons, pumpkins, beans, corn, and wheat, the three last articles generally in large baskets; sometimes the corn was in baskets covered with earth, and placed on the tops of the domes. A few chickens and dogs were seen, but no other domestic animals, except horses, mules, and oxen. Their implements of husbandry were the axe (of steel), wooden hoes, shovels, and harrows. The soil is so easily pulverized as to make the plough unnecessary.

“ Several acquaintances, formed in our camp yesterday, were recognised, and they received me cordially, made signs to dismount, and, when I did so, offered water-melons and pinole. Pinole is the heart of Indian corn, baked, ground up, and mixed with sugar. When dissolved in water, it affords a delicious beverage; it quenches thirst, and is very nutritious. Their molasses, put up in large jars, hermetically sealed, of which they had quantities, is expressed from the fruit of the *Cereus Giganteus*.

“ A woman was seated on the ground, under the shade of one of the cotton sheds. Her left leg was tucked under her seat, and her foot turned sole upwards; between her big toe and the next, was a spindle about eighteen inches long, with a single fly of four or six inches. Ever and anon she gave it a twist in a dexterous manner, and at its end was drawn a coarse cotton thread. This was their spinning jenny. Led on by this primitive display, I asked for their loom, by pointing to the thread and then to the blanket girded about the woman's loins. A fellow stretched in the dust, sunning himself, rose up leisurely, and untied a bundle which I had supposed to be a bow and arrow. This little package, with four stakes in the ground, was the loom. He stretched his cloth and commenced the process of weaving.

“ We travelled fifteen and a half miles, and encamped on the dividing ground between the Pimos and Maricopas. For the whole distance, we passed through cultivated grounds, over a luxuriantly rich soil. The plain appeared to extend in every direction fifteen or twenty miles, except in one place about five miles before reaching the camp, where a low chain of hills

comes in from the south-east, and terminates some miles from the river.

"A great deal of the land is cultivated, but there is still a vast portion within the level of the Gila that is yet to be put under tillage. The population of the Pimos and Maricopas together, is estimated variously at from three to ten thousand. The first is evidently too low.

"This peaceful and industrious race is in possession of a beautiful and fertile basin. Living remote from the civilized world, they are seldom visited by whites, and then only by those in distress, to whom they generously furnish horses and food. Aguardiente (brandy) is known among their chief men only, and the abuse of this, and the vices which it entails, are yet unknown.

"They are without other religion than a belief in one great and overruling spirit.

"Their peaceful disposition is not the result of incapacity for war, for they are at all times able to meet and vanquish the Apaches (an extremely warlike tribe nearer the Rocky Mountains,) in battle, and when we passed by, they had just returned from an expedition in the Apache country, to revenge some thefts and other outrages, with eleven scalps and thirteen prisoners. The prisoners are sold as slaves to the Mexicans.

"All that has been said of the Pimos, is applicable to the Maricopas. They live in cordial amity, and their habits, agriculture, religion, and manufactures, are the same. In stature they are taller; their noses are more aquiline, and they have a much readier manner of speaking and acting. I noticed that most of the interpreters of the Pimos were of this tribe, and also the men we met with in the spy-guard. Though fewer in number, they appear to be superior in intelligence and personal appearance."

The natives seen on the Sacramento plains, and 250 miles from the mouth of that river, resemble Shaste Indians in their regular features. They have thick black hair, descending low on their foreheads, and hanging down to their shoulders. The faces of the men were coloured with black and red paint, fancifully laid on in triangles and zigzag lines. The women were tattooed below the mouth. They are a



mirthful race, always disposed to jest and laugh, and appear to have had but little intercourse with foreigners. Their only arms were bows and arrows,—and in trading, they preferred mere trinkets, such as beads and buttons, to the blankets, knives, and similar articles in request among the northern Indians.

The Indians about one hundred miles from the mouth of the Sacramento, have the usual broad face and flattened nose of the coast tribes. The mouth is very large, and the nose broad and depressed. They are filthy in their habits, and stupid in their looks.

Mr. Hale gives five vocabularies of idioms spoken by the natives of California, who were formerly under the rule of the Roman Catholic Missions. The first he obtained at the Mission of San Rafael, on the north side of the Bay of San Francisco, in latitude  $38^{\circ} 10'$ ; the second at La Soledad, in latitude  $36^{\circ}$ ; the third at San Miguel, fifty miles to the south-east of the latter; the fourth was collected by the priests of San Gabriel, in latitude  $34^{\circ}$ ; and the fifth was obtained from San Juan Capistrano, twenty miles farther down the coast.

These five languages are only a few of those which are spoken in Upper California. It is a remarkable fact, that while the interior of the country west of the Rocky Mountains is occupied by a few extensive families, the whole coast, from the neighbourhood of Behring's Straits to Cape St. Lucas, is lined with a multitude of small tribes, speaking distinct idioms. A few of these are allied to the families of the interior, but the greater number are entirely unconnected, both with these, and with one another.

Mr. Hale thus concludes his statements:—"If we might suppose that the hordes, which, at different periods, over-ran the Mexican plateau, had made their way through this territory, we might conclude that the numerous small tribes there found were the scattered remnants of these wandering nations, left along their line of march, as they advanced from the frozen regions of the north into the southern plains. This conjecture acquires some weight from two facts, which, though of a dissimilar character, both bear upon this point. The first is, that such a progress is now going on, particularly in the

interior plains, where, according to the testimony of the most respectable traders and hunters, all the tribes are slowly proceeding towards the south."

There are, however, numerous indications of this immense territory having been previously occupied by a powerful and populous race, among whom the arts had made considerable progress, but who have utterly passed away, leaving scarcely even a tradition behind them. Colonel Fremont, who frequently met with the ruins left by this race in the valley of the Gila, thus describes one of them :—

"At the junction of a smooth valley, which comes in from the south-east with the Gila, are the ruins of a large settlement. I found traces of a circular wall 270 feet in circumference. Here also was one circular inclosure of 400 yards. This must have been for defence. In one segment was a triangular-shaped indenture, which we supposed to be a well. Large mezquite now grow in it, attesting its antiquity. Most of the houses are rectangular, varying from 20 to 100 feet front ; many were of the form of the present Spanish houses.

"Red cedar posts were found in many places, which seemed to detract from their antiquity, but for the peculiarity of this climate, where vegetable matter seems never to decay. In vain did we search for some remnant which would enable us to connect the inhabitants of these long-deserted buildings with other races. No mark of an edge-tool could be found, and no remnant of any household or family utensils, except the fragments of pottery which were everywhere strewed on the plain, and the rude corn grinder still used by the Indians. So great was the quantity of this pottery, and the extent of ground covered by it, that I have formed the idea it must have been used for pipes to convey water. There were about the ruins, quantities of the fragments of agate and obsidian, the stone described by Prescott as that used by Aztecs to cut out the hearts of their victims. This valley was evidently once the abode of busy, hard-working people. Who are they? And where have they gone?"

The interpreter to the chief of the Pimos tribe, in reply to Colonel Fremont's questions, as to the origin of these ruins, repeated the tradition current among and believed by most of

them, though he acknowledged that in truth they knew nothing, and it was all enveloped in mystery. The tradition was, that in bygone days a woman of surpassing beauty resided in a green spot near the place where the Colonel was encamped. All the men admired and paid court to her. She received the tributes of their devotion—grain, skins, and so forth—but gave no love or other favour in return. Her virtue, and her determination to remain unmarried, were equally firm. There came a drought which threatened the world with famine. In their distress the people applied to her, and she gave corn from her stock, and the supply seemed to be endless. Her goodness was unbounded. One day, as she was lying asleep with her body exposed, a drop of rain fell on her stomach, which produced conception. A son was the issue, who was the founder of a new race, which built all these houses."

It is not a little curious that farther southward, in the same track, larger and more magnificent evidences of the wealth and power of this extinct race should have just now been brought to light. The New York correspondent of a London daily paper, reports, for the interest and information of antiquarians, the discovery of vast regions of ancient ruins near San Diego, and within a day's march of the Pacific Ocean, at the head of the Gulf of California. Portions of temples, dwellings, lofty stone pyramids (seven of these within a mile square), and massive granite rings or circular walls round venerable trees, columns, and blocks of hieroglyphics—all speak of some ancient race of men now for ever gone, their history actually unknown to any of the existing families of mankind. In some points, these ruins resemble the recently discovered cities of Palenque, &c. near the Atlantic or Mexican Gulf coast—in others, the ruins of ancient Egypt—in others, again, the monuments of Phœnicia; "and yet, in many features," says the writer, "they differ from all that I have referred to. I observe that the discoverers deem them to be antediluvian; while the present Indians have a tradition of a great civilized nation which their ferocious forefathers utterly destroyed. The region of the ruins is called by the Indians 'the Valley of Mystery.'"

In this region, the grave of an extinct civilization, and till

lately thinly peopled by the rude and wandering tribes we have described, a new and mighty empire is destined to spring up. Some returns furnished in July last by Mr. Larkins, who was, till recently, the United States consul at Monterey, show the enormous stream of emigration which has, within the last year or two, set in from the Atlantic to the Pacific shores of the American continent. The population of California, exclusive of Indians, in July 1846, was at the utmost 15,000. In July, 1849, it had risen to upwards of three times that amount, or 46,000; by far the largest moiety of increase having taken place during the previous year and a half. In order to give an idea of the still more rapid augmentation that may be expected in future from the United States alone, it may be added, that when Mr. Larkins wrote, a number of emigrants were on their way to the new State, by the most dangerous, painful, and tedious land route, equal to the entire population already settled. Colonel Crawshawe arrived at the "Weaver diggings" on the 2nd of September last, with a pack-mule company, bringing up the rear of an enormous army of emigrants, which had been collected at a particular point of the western extremity of the United States, and had travelled together for mutual assistance and safety. He stated, that from the unerring data of a register kept at Fort Laramie (an Indian trading port of the American Fur Company, 670 miles from the States' frontier), which all were constrained to visit *in transitu*, he ascertained that 10,273 waggons had passed, and 240 pack-mule companies. The average number of travellers to each waggon was five, while each pack-mule company consisted of twenty. Thus there had arrived overland from the United States alone, since Mr. Larkins' computation, upwards of 56,000 persons. But further; the same gentleman declared, that only a minor proportion of the immigrants into California from the United States, enter it by that route; the majority going by sea, either round Cape Horn, or landing at Chagres, cross the Isthmus of Panama, and re-ship for San Francisco. This is borne out by an intelligent traveller, who, writing in September, says, "It would not be an extravagant guess to set down 100,000 as having come over the isthmus or round Cape Horn, ac-

ording to the best information I can collect on the subject, all Americans." It appears, therefore, from these data, that since the breaking out of what the people of the States called the "Californian fever," nearly 200,000 of them have changed their residences, from the centre and eastern shores, to the western side of the continent. Neither has the fever abated since, in the least, for the accounts constantly received, more than confirm the first reports of the extent of the golden treasure distributed over the new territory. Indeed, from the last statistics of the Federal Government, we find that the torrent of emigration still flows without abatement. A competent authority estimates, that at the end of 1850 more than half a million of the enterprising citizens of the United States will have changed their abodes.

Nor can this be regarded otherwise than as a moderate estimate. It must be remembered that the emigrants, up to this time, have been exclusively adult males, who have left behind them female and juvenile connexions. Arrived in the new country, these men are rapidly forming settlements; for it must not be supposed that all are delvers for gold and wanderers: there is a due proportion of traders and artisans, who have departed to practise their trades. Once "settled," these emigrants will send for their families; many have, indeed, begun to do so already. Hence the exodus of hosts of "family connexions" will cause an additional draught from the United States' population.

In addition to the vast influx from this quarter, there ought to be reckoned the emigrants from all other parts of the world. Numbers of persons have left our own Australian colonies; a considerable augmentation has taken place from New Zealand; the Sandwich Islands, Chili, Mexico, Sonora, and adjacent regions, have all contributed their quota. From Europe, a steady and increasing tide of emigration has set towards the Pacific. The numbers who have left Great Britain must be very considerable, though as yet no reliable statistics are procurable. It is, however, only necessary to look at the large number of ships that are now advertised to sail for a region, the name of which, a short time since, seldom or ever

appeared in the newspapers, to perceive that British energy, labour, and capital, have also been largely attracted to it.

One of the strangest things in this strange history, is the fact of China having furnished an immense contingent to the hosts which have flocked into California. Hitherto, the Chinese have been considered a home-loving, timid race, whose prejudices and habits were utterly opposed to emigration. They have, however, been incited to break through the customs of their country from time immemorial, and are found in large numbers in San Francisco, and all the other points at which population has gathered together. They do not appear to embark in the business of gold-seeking directly; they are the builders, cooks, confectioners, and hotel-keepers of California; and, in fact, appear in the latter capacities to act the part of the French to the people who congregate on the shores of the Pacific, their soups, dishes, and liqueurs, being held in the highest estimation. They are a most industrious people, and peculiarly esteemed for their quietness and order, their cheerfulness and temperance. "Search the city of San Francisco through, (says a writer in the "Pacific News,") and you will not find an idle Chinaman, and their cleanliness exceeds that of any other people we ever saw." Such qualities are certain to produce success, and, if this were the proper place, it would be an interesting topic for speculation, how far this bringing the people of the "Celestial Land" into direct and extensive contact with the ideas and habits of the people of the western hemisphere, may tend to throw open China itself to the world, and to break in upon the fixed routine of a system of civilization which has retained its vitality longer than any other ever instituted by any race of men in any country. Should it do this, it will not be the least wonderful result of the discovery of the gold of California.

Among a people so proverbially speculative, and bargain-making as the Americans, and especially in a matter of which Englishmen know nothing—land jobbing—it is natural that their favourite propensity should exhibit its full strength. Accordingly, at an early period of last year, prospectuses of new towns were issued in shoals by land speculators, each, of course, giving the most seductive and glaring description of

the site, advantages, and capabilities of the Edens they respectively described. At first the gambling in town lots nearly equalled that in railway shares in this country in 1845, as far as the recklessness of the speculators was concerned, and the excitement it produced. Many of the cities and towns thus projected, have already vanished from remembrance, except, indeed, in the recollection of some unhappy speculator who burned his fingers by purchasing at high prices, and found himself unable to pass his lots to others. Population will naturally arrange itself in those spots which are most eligible for carrying on the staple pursuits and the commerce of the country, and cannot be arbitrarily settled down in any particular spot, at the will of any body of speculators.

The principal cities and towns already in existence as central points for their respective districts, are San Francisco, Sacramento, Stockton, San José, and Benicia. San Francisco will undoubtedly be the commercial metropolis of the country, the New York of the Pacific Ocean. Although, in some respects, it is not so well situated as other spots on the shore of the bay, it has the advantage of being right opposite the "Golden Gate," by which access to the inland sea is obtained from the open sea. Its progress is astonishing. We have already given Mr. Taylor's account of its appearance, when he landed in the month of August. On December 1st, when he revisited the place after passing a short time in the Sacramento country, he found it so changed that he scarcely recognised the streets. The small wooden buildings, which replaced the tents he found at his first landing, had been moved to the suburbs, and spacious three and four-story houses built up in their stead. The vacant spaces had been filled up, fronts of brick began to make their appearance, large hotels and showily furnished restaurants exhibited their attractions in unaccustomed places; the throng in the streets seemed doubled, and all the hurry, confusion, and noise of a great city were so apparent, that little difference could be discerned between it and the most crowded parts of New York on the Atlantic. A year before there might have been five hundred inhabitants in the place, there were then twenty thousand; and it is now estimated that the population has more than doubled. It was not to be expected, however,

that with the bustle and excitement resulting from such a wonderfully rapid increase of population, that the new city should all at once present the conveniences and the comforts of older human settlements. Lighting and paving are the last products of consolidation and community of action. During the rainy season, the streets in the lower part of the city were next to impassable. The mire was in places two feet deep, and mules constantly stuck fast with their loads. When the rain was worst, wading was the only practicable mode of locomotion, and high-topped boots accordingly rose in price—six ounces of gold, or about £23 sterling, being the common charge for these indispensable articles! “Even now,” says Mr. Taylor, “after a week of dry weather, Montgomery, Clay, and Sacramento Streets, are pools of soft mud, and every other man you see wears his pantaloons inside his boots.” He adds, “the merchants are beginning to remedy this state of things, and plank side-walks, raised on sleepers, are laid down in several streets. The rainy season, these disadvantages excepted, is delightful. The climate here is more mild and pleasant than in August, the air in the intervals of rain is clear, and the sunsets outvie Italy.”

Since this was written, an extensive fire destroyed a large portion of the city: a calamity in its immediate results, it will probably have the effect of ultimately benefiting the city, by causing it to be laid out and built upon a regular plan, and with due attention to the health and convenience of its inhabitants. A trait of the American character during the fire, may be mentioned. While the flames were pursuing their destructive course, a Yankee seeing his house on fire, instead of making any vain efforts to preserve it, went direct to a builder, and contracted to have another erected within a few days, and before the ashes of his old dwelling were well cold, the new one was commenced.

Sacramento City, the next in size and population to San Francisco, is likewise, from its position, destined to become an important place, though its situation does not appear to have been selected with a view to health, or even comfort. It is placed near the junction of the American Fork with the Sacramento river below Sutter's Fort, and on a flat plain or



marsh, which during the rainy season must at all times be subject to inundations. But it is in the very centre of the mines of that part of the country drained by the Sacramento ; and for the extensive commerce of which it will, in future, be the seat, it must have direct water communication with San Francisco and the Pacific ; and hence, with the shrewdness and attention to the " main chance," which distinguishes the Americans, they have " concluded" to endure all the discomforts, and probable losses arising from such a location.

It is deeply interesting to note the present appearance and the rapid progress of towns that will, at no distant period, be crowded with large populations, and retain scarcely a vestige of the wilderness from which they are now in the process of being taken. Mr. Taylor's description is striking :—

"The Sacramento is a beautiful stream. Its width varies from two to three hundred yards, and its banks, fringed with rich foliage, present, by their continuous windings, a fine succession of views. Before reaching the town of Sutter, we passed a rancho, the produce of which, in vegetables alone, is said to have returned the owner twenty-five thousand dollars this season. Sutter is a town of some thirty houses, scattered along the bank for half a mile. Three miles above this we came in sight of Sacramento City. The forest of masts along the embarcadero more than rivalled the splendid growth of the soil. Boughs and spars are mingled together in striking contrast ; the cables are fastened to the trunks and sinewy roots of the trees ; sign-boards and figure-heads are set up on shore, facing the levee [a raised esplanade] and galleys and deck-cabins are turned out "to grass," leased as shops or occupied as dwellings. The aspect of the place, on landing, is decidedly more novel and picturesque than that of any other town in the country.

"The plan of Sacramento City is very simple. Situated on the eastern bank of the Sacramento, at its junction with the Rio Americano, the town plot embraces a square of about one mile and a half. It is laid out in regular right-angles, in Philadelphia style, those running east and west named after the alphabet, and those north and south after the arithmetic. The present limits of the town [in August] extend to nearly

one square mile, and the number of inhabitants, in tents and houses, will fall little short of ten thousand. In April last, there were just four houses in the place! Can the world match a growth like this?

"The original forest-trees, standing in all parts of the town, give a very picturesque appearance to this place. Many of the streets are lined with oaks and sycamores, six feet in diameter, and spreading ample boughs on every side. The emigrants have ruined the finest of them by lighting camp fires at their bases, which, in some instances, have burned completely through, leaving a charred and blackened mass for the superb tree to rest upon. The storm of last Friday snapped asunder several trunks which had been thus weakened, one of them crushing to the earth a canvass house in which a man lay asleep. A heavy bough struck the ground on each side of him, saving his life. The destruction of these trees is the more to be regretted, as the intense heat of the summer days, when the mercury stands at  $120^{\circ}$  renders their shade a thing of absolute necessity.

"The value of real estate here is only exceeded by that of San Francisco. Lots twenty by seventy-five feet, in the best locations, bring from three thousand to five thousand dollars. Rents are on a scale equally enormous. The City Hotel, which was formerly a saw-mill, erected by Captain Sutter, pays thirty thousand dollars per annum. A new hotel, now going up on the levee, has been already rented at thirty-five thousand dollars. Two drinking and gaming-rooms, in a business street, pay each one thousand to three thousand dollars daily. Board is twenty dollars per week at the restaurants, and five dollars per day at the City Hotel. But what is the use of repeating figures? These dry statistics convey no idea of the marvellous state of things here. It is hard enough for us who see to believe, and I can only hope to reproduce in these epistles the very faintest impression of the picture before the eyes. You wonder, no doubt, why the gold dust does not go home in larger quantities, when at least forty thousand men are turning up the placers. The fact is, it is wanted as currency here, and the amount in circulation may be counted by millions. Why the building up of a single street in Sacramento

City (J. street) has cost *half-a-million*, at least! The present value of all the houses in the City, frail and perishing as many of them are, is not less than two million dollars.

"It must be acknowledged there is another side to the picture. Three-fourths of the people who settle here are visited by agues and diarrhœas, and other reducing complaints. In summer the place is a furnace, in winter little better than a swamp; and the influx of emigrants and discouraged miners sometimes exceeds the demand for labour. A healthy, sensible, wide-awake man, however, cannot fail to prosper. In a country where labour rules everything, no sound man has a right to complain. When carpenters make a strike because they only get *twelve dollars* a day, you may be sure there is room enough for industry and enterprise of all kinds."

Sacramento City has that never-failing adjunct of an American population—a newspaper. The "*Placer Times*," and its proprietor, were receiving from one to two thousand dollars weekly, in jobs and advertising. The compositors were paid fifteen dollars a day.

The amount of gambling here is very great, and the enticement of music is employed even to a greater extent than in San Francisco. All kinds of instruments and tunes make night discordant. The performers are paid an ounce nightly. There is also an "*Eagle Theater*" in full blast, with a choice lot of actors. The female characters are done by Mrs. Ray, "*of the Royal Theater, New Zealand*," who receives two hundred dollars per week, "*for her 'art-rendering hacting*." The prices of admission are: Boxes, three dollars; pit, two dollars; and the house averages eight hundred dollars a night.

The road to the Fort, the main streets, and the levee, are constantly thronged with the teams of emigrants, coming in from the mountains. Such worn, weather-beaten individuals I never before beheld. Their tents are pitched by hundreds in the thickets around the town, where they rest a few days, before starting to winter in the mines and elsewhere. At times the levee will be filled throughout its whole length by their teams, three or four yoke of oxen to every waggon. The beasts had an expression of patient experience, which

plainly showed that no roads yet to be travelled, would astonish them in the least. The cows were yoked in with the oxen, and made to do equal duty. The women who came overland, appear to have stood the journey remarkably well, and do not complain half so loudly as the men.

In the month of January in the present year, the city was overflowed by water. Few spots of land in the plain on which it is situated, were visible; and the majority of the inhabitants were compelled to retreat, and encamp on some high ground, three or four miles distant. Those who did remain, navigated the newly-formed streets in boats. The loss by this inundation was estimated at upwards of one million dollars, or over £200,000 sterling, and the population suffered dreadfully from the visitation. Immense herds of cattle and other property were swept away. By way of compensation, however, the Californians console themselves with the reflection, that this great flood would wash out the gold in immense quantities.

The last advices represent the inundation to have subsided, and that, although the danger was not entirely over, preparations for the Spring trade were carried on with activity; while measures were being taken to construct a "levee," or raised bank, as in the case of New Orleans and other similarly situated cities in the United States, by which the recurrence of another disaster of the same kind may be prevented.

Stockton City, on the San Joaquin, is similarly situated to Sacramento, and the site has been apparently selected for the same reasons. It stands at the junction of one of the tributaries to the main river, which drains that part of the immense valley lying between the Sierra Nevada and the coast range of mountains. It is about one hundred and fifty miles from San Francisco, and has made considerable and rapid progress, though not so much as Sacramento City.

Benicia, intended as a rival to San Francisco by its projectors, is situated on the left side of the Straits of Carquinez, between the top of Pablo and the entrance of Suisoon Bay; and, consequently, nearer the gold mines. In a glen on the opposite shore, is the little town of Martincz. Mr. Taylor says:—

"Benicia is a very pretty place; the situation is well chosen, the land gradually sloping back from the water, with ample space for the spread of the town. The anchorage is excellent, vessels of the largest size being able to lie so near shore as to land goods without lightering. The back country, including the Napa and Sonoma valleys, is one of the finest agricultural districts of California. Notwithstanding these advantages, Benicia must always remain inferior, in commercial importance, both to San Francisco and Sacramento. Anchorage is one thing, and a good market another. San Francisco is marked by fate for the great commercial mart of the Pacific, and whatever advantages it may lack will soon be amply provided for by its wealth and enterprise.

"Benicia has been made the naval and military station for the Bay. General Smith and Commodore Jones both have their head-quarters here. The General's house and the military barracks are built on a headland at the entrance of Suisoon Bay—a breezy and healthy situation. Monte Diablo, the giant of the Coast Range, shoots up high and blue on the other side of the Strait, and away beyond the waters of the Bay, beyond the waste marshes of Tulé and the broad grazing plains, and above the low outlines of many an intermediate chain, loom up, faint and far and silvery, the snows of the Sierra Nevada."

New York of the Pacific, with its aspiring name, seems to have been an abortive speculation. "It is situated," says Mr. Taylor, "about fifty miles from San Francisco, on a level plain, on the southern shore of Suisoon Bay, backed by a range of barren mountains. It consists of three [in November, 1849] houses, one of which is a three-story one, and several vessels at anchor near the shore. The anchorage is good, and were it not for the mosquitoes, the crews might live pleasantly enough in their seclusion. There never will be a large town there, for the simple reason that there is no possible cause why there should be one. Stockton and Sacramento City supply the mines; San Francisco takes the commerce; Benicia the agricultural produce, with a fair share of the inland trade; and this Gotham-of-the West, I fear, must continue to belie its title."

San José, having been selected as the seat of the government and the legislature for the State, will, no doubt, rapidly increase in population and wealth. Lots rose to an almost incredible price, as soon as the decision was known, and being situated in a beautiful and fertile valley, is certain to be an attractive city. Besides these cities, the last advices mention that new towns are springing up in all directions on the banks of the various streams, and are being built up with unexampled rapidity. A town called Vernon, at the mouth of Feather River, is rising into notice; and another important one is springing up on Trinity River. Of course, land speculation is at its height in these places, and numerous instances of large fortunes, speedily made by speculators who were lucky enough to buy at low prices, are quoted. Timber and framed houses sell readily, and bring enormous prices.

With the usual enterprise of the Americans, steamers, suited to the navigation both of the Bay of San Francisco and the Sacramento and San Joaquin rivers, have been introduced. The small steamers are daily pushing their way higher up, and reaping a rich harvest, while they enhance the value of property, and increase the property of the inhabitants. In a short time the waters, which two or three years ago were unvisited by any vessel larger than an Indian canoe, and were frequented by the native tribes only for the purpose of fishing, will be traversed by steamers as regularly as the Clyde, the Humber, or the Thames, and their streams be thickly dotted with populous and thriving communities. The facilities for communication are already good, and are daily increasing, so that in this respect later emigrants will not have to encounter the inconveniences and hardships which had to be faced by the early gold-hunters, and other seekers after wealth. At present, the accommodation is charged in accordance with everything else in California; that is to say—very high. One singular result of the extraordinary high price which has to be paid for labour, is worth notice. Washing was charged eight dollars—or more than £1 12s. a dozen! The consequence was, that an export trade has sprung up in soiled linen, large quantities being shipped to Canton in China, and to Honolulu in the Sandwich Islands, to be puri-

fied. After undergoing a double voyage, it costs less than to have it cleaned at home.

The trade of San Francisco with all ports on the Pacific is largely augmenting, as well as with every other part of the world. The trade and emigration from the United States, so far from falling off, increases with such rapidity, that it almost exceeds credence. During the month of February last, three steamers and fifty-seven sailing-vessels cleared out for that port. In the first week of March, eleven ships and brigs left Boston for the same quarter, and forty-nine vessels were loading. The Bay of San Francisco is crowded with ships, which exhibit the flags of every nation under the sun. New piers creep out towards them, and new warehouses spring up on the water's side. The noise, motion, and bustle of business, and the excitement produced by the intelligence of fresh discoveries of rich "placers," which ever and anon spread through the country, and the rushing tide of emigration which pours itself steadily upon these distant shores, combine to make up a narrative liker a dream, than a sober history of facts.

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## CHAPTER XI.

*Law and Society.—Unfavourable composition of the Population.—Virtual abrogation of settled Government.—Voluntary law in the Mining Districts.—Summary Punishments.—Suppression of the "Hounds" by Judge Lynch.—Security for Life and Property, shown by letters from English Gentlemen.—Assembly of the Convention at Monterey.—Character and composition of the Assembly.—Close of the Convention.—Ball and Supper.—Abstract of the Constitution.—Declaration of Rights.—Liberal character of the Constitution.—Address of the Delegates to the People.*

ONE of the most remarkable circumstances in connexion with the rapid peopling of this region, has been the general

regard for the rights of property which has distinguished the motley and hastily congregated population, and the wonderful rapidity with which they have organised a constitution and all the machinery of a regular government. It is a phenomenon the like of which can, perhaps, never happen again, because we know of no part of the world in which the same causes can operate. Regions as rich in the precious ore, may be discovered elsewhere, but not in connexion with the same soil, climate, and scenery, and under the impulse of a similarly constituted community. We have already related the extraordinary state of things consequent upon the discovery of the placers, and the unprecedented rush of emigration from all parts of the world into a country almost unknown, and scarcely reclaimed from its original barbarism ; which, in fact, after the confiscation of the missions, was fast retrograding into pure barbarism. The first consequences of this sudden influx of wealth, and a population so varied, was to render all law virtually null, and bring the then established authorities to entire dependence upon the humour and caprice of the people. We have seen that the government, and the officers, both of the army and navy, were deserted by their men, and that no physical force was left at their disposal to put down outrage or punish crime. The countries which were nearest the golden region, Mexico, Peru, Chili, China, and the Sandwich Islands, immediately sent forth their thousands of ignorant and reckless adventurers, who speedily outnumbered the settlers under the American Government. Another fact, which threatened serious moral and social consequences, was the flocking in at first, of all the " loose fish," and unprincipled adventurers from the United States themselves. From such an aggregation of unpromising elements, a state of things little short of anarchy might have been fairly anticipated.

From the beginning, however, with few exceptions, a disposition to maintain order and secure the rights of all was shown throughout the mining districts. In the absence of all formal law, or regularly constituted protectors, the people thus fortuitously thrown together, met and adopted rules for their mutual guidance and security—laws adapted to their situation, where they had neither guards nor prisons, and where



the slightest licence given to crime or trespass, must inevitably have led to terrible disorders. In such circumstances, it was not to be expected that these impromptu law-makers, would be very delicate, or trouble themselves with the nice refinements and subtile distinctions, which legislators of more settled and better organized communities are free to indulge in. Small thefts were punished by banishment from the placers, while for those of a large amount, or serious crimes, there was the single alternative of hanging. These primary regulations, with slight alterations, continue at the present time. In proportion as the immigration of a higher class of persons has increased, and the digging community assumed a more orderly aspect, their severity has been relaxed, though punishment is still strictly administered for all offences. The larger proportion of the few executions which have taken place under this impromptu code, were inflicted for the crime of murder; and the awful responsibility of taking away life, was not assumed lightly, but only after trial, and such evidence as brought home a fair ground of conviction.

Before things could settle down to a state of regularity, incidents did occur which were characteristic of the very peculiar phase of society in the country. About the middle of last year an organized band of desperadoes, under the name of "Hounds," committed many aggressions upon those who repaired to San Francisco, under the pretence of opposition to foreigners. They were, it is said, to a certain extent, countenanced by the then Alcalde, and under the impression that they were the instruments of the local government, and were charged with the regulation of the town and neighbourhood, they ventured upon an unauthorized aggression upon an encampment of Chilians in the environs. Headed by fife and drum, they marched to the place and made a furious assault upon the tents and persons of the Chilians, killing four and wounding thirteen persons who had given no offence; they sacked the tents, and having satisfied themselves with blood and plunder, they marched back again to their rendezvous in the city. The atrocious nature of this outrage had the effect of immediately rousing the whole population against them. Hundreds who had suffered from the

"Hounds," declared their readiness to take up arms and expel them by force. For a time, the gold fever ceased to afford an opportunity for the law and order fever to burn. A police was organized, and in a day or two twenty of the "Hounds" were running in couples, and safely kennelled on board a brig of war. Judges, grand and petit jurors were forthwith appointed, and several of the prisoners were condemned to transportation. The Alcalde who favoured the "Hounds" was compelled to retire.

We have been favoured by extracts from a letter written by a gentleman from London, who has been some time settled in California. It is dated the 23d of December, 1849, and gives a graphic idea of the administration of justice.

"In a town which is rapidly rising into importance, and is likely from its position to be second only to San Francisco, the First Alcalde (magistrate) is elected to the office by the inhabitants, and has more power than magistrates usually have, uniting, as he does, the judicial with the magisterial, and having the power to condemn even to death. Upon a late occasion, a criminal was brought before him, charged with having broken into the tent of a poor Mexican washer-woman, and stolen two hundred dollars; one of his companions had previously been executed for participation in the crime. There being full proof of his guilt, it remained only to pass sentence. The Alcalde (showing a prudent discretion) left it to the jury to determine what his punishment should be; it was death. A great number of the inhabitants, armed with rifles, fowling-pieces, guns, and other weapons, guarded the criminal to the place of execution; also six men armed with rifles and bowie knives."

"This," the narrator observes, "appears a severe sentence, but the unprotected situation of property rendered it necessary, there being no prisons, and no walls to the stores, which are under canvass, and quantities of goods are exposed in the open air, in the street. He is a storekeeper, and, from the present want of warehouse room, is obliged to leave great part of his stores, comprising cases of champagne, brandy, boots, and other valuable property, in the open air, and has suffered no loss by so doing; proving that honesty is the

rule, and dishonesty the exception, in a part of the world which may almost be considered as beyond the bounds of civilization.

“The person who succeeded this Alcalde, was an Englishman, who previously held the office of second Alcalde; he was elected by a majority of 444, showing the population to be extensive. Fancy him seated in an arm-chair, with a cigar in his mouth, assuming as much dignity as he could muster, dispensing justice. He fined two persons for contempt of court; they were two powerful fellows, who could have turned the entire court into the road; they, however, submitted quietly to pay the fine, when they all—judge, jury, and delinquents—partook of a “drink.” Whether this drink was paid for out of the fine, or by subscription, does not appear.

“Upon another occasion, the Alcalde called an Italian, or half-Spaniard, to whom he had rendered services which were ill-requited, an ungrateful wretch. The man said the Alcalde took advantage of his position to insult him, and that if he would walk out one hundred yards he would thrash him. The Alcalde descended from the bench—an arm-chair—and, having previously pulled the fellow’s nose, went out the proposed distance, gave him a thrashing, and returned with the applause of all present.

“Since this occurrence, there has been an influx of persons into the town who have had a regular legal education, three or four of whom have sometimes been pleading in the same cause before the Alcalde.

“As several are candidates for the office of First Alcalde, when the next periodical election takes place, it may be presumed that the administration of justice will be then more in accordance with our ideas of propriety.”

In all the large digging districts, which have been worked for some time, there are now established regulations which are, according to the testimony of Mr. Taylor, faithfully observed. Alcaldes are elected, who decide on all disputes of right, or complaints of trespasses, and who have the power to summon juries for criminal trials; and, although the style and appearance of these judges may not appear *en regle* to those who consider Westminster Hall the model of judicial

propriety, the result of the machinery, though somewhat rude, is effective. When a new "placer" is discovered, the first thing done is to elect officers, and extend the area of order ; in this the Americans show the advantages of their political education, and the practice of self-government, into which their home institutions early initiate them. The result is, that in a district five hundred miles long, inhabited by between 100,000 and 200,000 people, who up to a recent period had neither government, regular laws, rules, military or civil protection, nor even locks and bolts, and a great part of whom possess wealth sufficient to tempt the vicious and depraved, there is as much security for life and property, and as small a proportion of crime, as in any part of the United States. This is certainly a noble and gratifying illustration of the power of the Californian settlers for self-government, and especially worthy of admiration, when the incitements to licence, and the varied character of the population, are taken into account. The rights of the diggers are no less definitely marked, and strictly preserved. Among the hundreds seen by Mr. Taylor on the Mokalumé and various other diggings, he did not see a single dispute, or hear a single complaint. A company of men may mark out a race of any length, and turn the current of the river to get at the bed, and possess the exclusive right to that part of it, so long as their undertaking lasts. A man may dig a hole in the dry ravines, and, as long as he leaves a shovel, pick or crow-bar, to show that he still intends working it, he is safe from trespass. His tools may remain there for months without being disturbed. There are, of course, exceptions to these rules, but they are not frequent.

That these statements, made upon American authority, are not exaggerated, may be shown by statements from numerous other sources. We content ourselves with quoting the following from a letter dated the 29th of January, 1850, and written to Mr. Wood, George-street, Albany-road, Camberwell, by his son. The writer arrived at San Francisco on the 7th of October, last year.

"When I left London, the papers stated there was a great deal of robbery and murder going on here, and at the mines. Now, so far from that, I never was in a country in the world

where the people are so civil, quiet, and peaceably disposed, although all the black-legs, gamblers, thieves, runaway transports, from all parts of the world, and of almost every nation under the sun, are gathered together here; yet a person may travel any hour of the day or night, laden with gold and jewels, without being interrupted. I have heard of but one case of highway robbery, and if a man at the mines is proved guilty of theft, he is tried by a jury of twelve, and hanged on the spot. It is only the guilty who have anything to fear. In a tent there are no locks, bolts, or bars, but every one goes to his employment, leaves his tent open, and perhaps his clothes out to dry, and comes home at night, and finds nothing touched nor missing. I have done it often, and never lost anything yet; but you cannot form any idea how people live here."

The worst blot upon the character of the population, is the propensity to gambling. Gaming-tables are universal, and they are almost universally frequented. All Californians and Mexicans are gamblers by habit, and a large proportion of the Americans are not insensible to their fascinations. The consumption of wine and ardent spirits, at astonishingly high prices, is also enormous, and all other species of dissipation prevail to a greater or less extent. Yet, with the exception of gambling, which is said to be subsiding, and will probably disappear as society settles down into a more regular and steady routine, fewer of the evil results of such practices are apparent than might be anticipated. With a great deal of drinking, there is very little drunkenness. Nor does the search after gold beget a grasping and avaricious spirit among the diggers. Mr. Taylor says, the principles of hospitality are as faithfully observed among these rude men, as they could be by the thrifty farmers of the Eastern and Western States of the Northern Federation. The cosmopolitan character of the population has, no doubt, a considerable influence in producing this result.

The aptitude for political organisation and legislation, developed by the institutions of the United States, has been strikingly developed in the formation of a Constitution for the government of this rapidly and singularly constituted

population. About the time that the "hounds" were so summarily dealt with by the improvised tribunals which sat in judgment upon them, a movement was made for calling together a Convention in Monterey, in order to frame a constitution, subject to the subsequent approval of the people at large. Public meetings, ballot-boxes, and other political machinery, are familiar to American citizens. The want was no sooner stated and felt, than it was supplied. A Convention was organised, comprising many of the men of greatest mark and celebrity then in the country. They met at Monterey, in September, 1849, after having been freely chosen by their respective constituents in the various districts, to proceed with the solemn and important duty confided to them; and, five weeks afterwards, they met on the morning of the 13th of October, to discharge their last public corporate duty—that of signing the constitution they had agreed to. Truly, our Yankee cousins are "go-ahead" in all respects! Their railway speed in legislation, contrasts strangely with the cumbersome and leisurely march of such affairs at home; nor do we think, that when the productions of British and American State craftsmen are compared, the superiority, in point of excellence or adaptability, is such as to compensate for the greater time spent in the work, and the consequent slower progress of public affairs.

Among the members of the Convention may be named Captain Sutter, whose good-humour, amiable qualities, and sound intellect, seem to have made him a general favourite; General Vallego, the most intelligent and influential of the native Californians; and General Castro, the commander of the Californian troops in the war which ended by the cession of the country to the United States. There were other native Californians of Spanish descent, some of them having held high office under the old *regime*, but the great majority were citizens of the United States, with perhaps a few emigrants from Britain, *acclimatized* to the political habits of the States by long residence in them. That such an assembly would, during its proceedings, observe the solemn decorum and grave dignity which characterises the inheritors of the far-descended titles of England's ancient aristocracy; or even

the more popular and less restrained, but still decorous and stately House of Commons, is not to be expected. Long harangues, in which the words were much more plentiful than the ideas, tried the patience of the Convention ; but that is an infliction not confined to them. Occasionally, an amusing scene occurred, which indicated the temper as well as attainments of the delegates. A section of the constitution being under consideration in which it was declared that every citizen arrested for a criminal offence should be tried by a jury of his peers, a member, unfamiliar with such technical terms, moved to strike out the word "peers." "I don't like that word 'peers,'" said he ; "it aint republican ; I'd like to know what we want with *peers* in this country—we've not got a monarchy, and we've got no House of Parliament. I vote for no such law." But, notwithstanding such occasional infractions of legislatorial etiquette, according to European notions, the Convention succeeded in framing a constitution that may, perhaps, be safely pronounced the most liberal and advanced ever yet propounded for the government of any community, ancient or modern. It is, indeed, surprising, that a document which embodies so many of the conclusions of the greatest philosophers who have treated on political and social jurisprudence, should have emanated from such a body. The elements of which the Convention was composed were little less various, and, in some respects, antagonistic, than those found in the mining population. The questions they had to settle were often perplexing, from the remarkable position of the country, and the absence of all precedent. Many of them were men unused to legislation. Some had, for years before, known no life but that of the camp ; others had nearly forgotten all law, in the wild life of the mountains ; and others were only familiar with modes of government practised by a different race than the Anglo-Saxons. But amongst this varied and singular combination, the courtesies of debate were never wantonly violated, and the result of every conflict of opinion was a quiet acquiescence on the part of the minority. At the close of their labours, the only feeling was that of joy and general congratulation.

As the best method of conveying a fair and faithful idea of

the manner in which these homely and rough, but honest regulators proceeded to their task, we give in full the Declaration of Rights which precedes the details of the Constitution :—

“We, the people of California, grateful to Almighty God for our freedom, in order to secure its blessings, do establish this Constitution.

“ARTICLE 1.—*Declaration of Rights.*

“SECTION 1.—All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property : and pursuing and obtaining safety and happiness.

“2.—All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people ; and they have the right to alter or reform the same, whenever the public good may require it.

“3.—The right of trial by jury shall be secured to all, and remain inviolate for ever ; but a jury trial may be waived by the parties, in all civil cases, in the manner to be prescribed by law.

“4.—The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall for ever be allowed in this State ; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief ; but the liberty of conscience, hereby secured, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

“5.—The privilege of the writ of Habeas Corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require its suspension.

“6.—Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishments be inflicted, nor shall witnesses be unreasonably detained.

“7.—All persons shall be bailable by sufficient sureties ; unless for capital offences, when the proof is evident, or the presumption great.

“8.—No person shall be held to answer for a capital or



otherwise infamous crime (except in cases of impeachment, and in cases of militia when in actual service, and the land and naval forces in time of war, or which this State may keep with the consent of Congress in time of peace, and in cases of petit larceny under the regulation of the legislature), unless on presentment or indictment of a Grand Jury; and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offence; nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation.

“9.—Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech, or of the press. In all criminal prosecutions or indictments for libels, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted: and the jury shall have the right to determine the law and the fact.

“10.—The people shall have the right freely to assemble together, to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances.

“11.—All laws of a general nature shall have a uniform operation.

“12.—The military shall be subordinate to the civil power. No standing army shall be kept up by this State in time of peace; and in time of war no appropriation for a standing army shall be for a longer time than two years.

“13.—No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, except in the manner to be prescribed by law.

“14.—Representation shall be apportioned according to population.

" 15.—No person shall be imprisoned for debt, in any civil action on *mesne* or final process, unless in cases of fraud; and no person shall be imprisoned for a militia fine in time of peace.

" 16.—No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

" 17.—Foreigners who are, or who may hereafter become, *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and inheritance of property, as native-born citizens.

" 18.—Neither slavery, nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

" 19.—The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized.

" 20.—Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason, unless on the evidence of two witnesses to the same overt act or confession in open court.

" 21.—This enumeration of rights shall not be construed to impair or deny others retained by the people."

All the detailed provisions of the constitution are in accordance with the free and enlightened views which characterize this declaration, and appear well calculated to give it practical effect, both in the selection of the Legislative, Executive, and Judicial bodies.

The right of the suffrage is conferred upon every *white* male citizen of the age of twenty-one, who shall have been a resident of the State six months next preceding the election, and of the county or district in which he claims his vote, thirty days. The question, whether the Indians should also be invested with elective rights, was stoutly debated, but the not unnatural prejudices of a race of adventurers, to whom

"Indians" and "enemics" are almost synonymous, had the effect of preventing them from acting as liberally towards the native tribes as they did to the free people of colour. They, however, inserted a proviso, by which it is enacted, that nothing in the constitution shall be construed to prevent the legislature, by a two-thirds concurrent vote, from admitting to the right of suffrage, Indians, or the descendants of Indians, in such special cases as such a proportion of the legislative body may think proper. Electors are privileged from arrest, and from militia or military duty on the days of election, except in cases of treason, felony, or breach of the peace—and the definition of residence is very strictly laid down in favour of the elector. The only parties not entitled to vote are idiots, insane persons, and persons convicted of infamous crimes. All elections are to be by ballot.

The powers of the government are divided into three separate departments—the legislative, the executive, and the judicial; and no person properly charged with the exercise of powers properly belonging to one of these departments, is to exercise any functions appertaining to either of the others, except as expressly permitted or directed by the constitution.

The legislative power is vested in a Senate and Assembly, and the enacting clause of every law is to be "The People of the State of California in Senate and Assembly, do enact as follows."

The sessions are annual, and the members of the assembly are to be chosen annually; the only qualification required for senators and members of the assembly, is this; that they shall be duly qualified *electors* in the respective counties and districts they represent, that is, have resided the required period and be twenty-one years of age. No property qualification is required. The qualification of a senator, whose term of office is two years, is somewhat different. He must have been "a citizen and inhabitant of the State one year, and of the county or district for which he shall be chosen six months, next before his election." The number of senators is to be not less than one-third, nor more than one-half that of members of assembly, and so divided that one-half shall be

chosen annually, at the same time and places as members of the Lower House. Each house is to choose its own officers, and judge of the qualifications, elections and returns of its own members, determine the rules of its own proceedings, and, with the concurrence of two-thirds of all the members elected, expel a member. A majority of each house is competent to do business. Members are privileged from arrest in all cases except treason, felony, and breach of the peace. The doors of each house are to be open, except on such occasions as in the opinion of the house may require secrecy. Neither house can, without the consent of the other, adjourn for more than three days, or to any other place than that in which they may be sitting. If the governor objects to any bill, after it has passed the legislature and has been laid before him for his signature, the bill, with his objections, is to be reconsidered; and if it again passes by a majority of *two-thirds* of the members of each house present, it shall become law, notwithstanding the governor's objections. The assembly has the sole power of impeachment. The senate is entrusted with the duty of trying impeachments, and while sitting for that purpose must be on oath or affirmation. A majority of two-thirds is necessary to the validity of any conviction.

The persons liable to impeachment are the governor, the lieutenant-governor, secretary of state, comptroller, treasurer, attorney-general, surveyor-general, justices of the supreme court of judges, and judges of the district court. Verdicts of guilty involve removal from office, and disqualification to hold any office of trust, honour, or emolument under the State. If the offence is, besides, punishable by common law, the ordinary tribunals can try and sentence to the usual legal penalties. No money is to be drawn from the treasury, except in consequence of appropriations made by law, and an annual balance sheet is to be presented to the legislature, the members of which are to receive a compensation for their services, fixed by law.

Simplicity in law-making is enjoined, by the enactment, that every law passed by the legislature shall embrace but one object, and that shall be expressed by the title. The legislature is prohibited from granting divorces, and the

governor from authorizing lotteries ; the sale of lottery tickets is prohibited. Periodical censuses are to be taken at times fixed by the constitution, and the number of members of the legislature apportioned to the population, in a certain ratio. It is provided that the number of members of assembly shall not be less than twenty-four, nor more than thirty-six, until the inhabitants amount to 100,000, and after that period at such ratio, that the minimum shall be thirty, the maximum eighty.

Full powers are granted to municipal bodies, and corporate bodies ; in the first case to be given by special laws—in the last by general laws : and all such corporations have the right to sue and be sued. Each individual stockholder is personally liable for “ his proportion ” of debts and liabilities.

Article 24 is an important one : “ The legislature shall have no power to pass any act granting any charter for banking purposes, but associations may be formed under general laws for the deposit of gold and silver ; but no such association shall make, issue, or put in circulation any bill, check, ticket, certificate, promissory note, or other paper, or the paper of any bank, to circulate as money.” The State thus reserves to itself the important privilege of making and issuing its own money, and the legislature is bound to “ prohibit by law any person or persons, association, company, or corporation from exercising the privileges of banking or creating paper to circulate as money.” Strange, that such a blow at the ascendancy of money-mongers and usury, should be struck in the Golden Land !

The legislature are instructed, as one of their duties, to provide for the organization of cities and incorporated villages, and restrict and regulate the power of municipal taxation and of contracting debt. By a subsequent provision of the constitution, the legislature is prohibited from contracting any State debt or debts, which shall, singly or in the aggregate, with any previous debts or liabilities, exceed the sum of three hundred thousand dollars, except in case of war, to repel invasion, or suppress insurrection, unless the same shall be authorized by law for some specific single object or work. The law is to provide the ways and means, exclusive of loans, for the

payment of the interest, and also to pay the principal within twenty years from the time of contracting such liabilities for public works. The power of contracting debt, within these limits and for such purposes, is hedged round by numerous restrictions, with the object of ensuring publicity and public action.

The supreme executive power is vested in the governor, who must be a citizen of the United States, and at least two years resident in the State of California previous to his election, and not less than twenty-five years of age. He is to be elected by universal suffrage for two years; and, while he holds the position, is also commander-in-chief of the militia, the army and navy of the State. He is entrusted with the duty of seeing that the laws are faithfully executed, and with the transaction of all executive business, whether civil or military, through the various executive officers. His powers and duties with reference to the legislature are strictly defined, and his power of appointing to office is limited to filling up vacancies by commission, until the next election by the people, who reserve the power of appointing directly all their officers. The governor has power, within the limits and rules prescribed by law, of granting pardons and reprieves for all offences, except treason and cases of impeachment, and is entrusted with the keeping of the great seal of State, which, with the signature of the governor and the counter-sign of the secretary of State, is necessary to the validity of all grants and commissions. The lieutenant-governor is elected similarly to the governor, and is *ex-officio* president of the senate, with a casting vote. In the case of the impeachment of the governor, or his removal from office by any cause, he fills the situation until the vacancy is duly supplied. The other State officers are to be appointed by the two houses of legislature, in the manner prescribed by the Constitution, with the exception of the secretary, who is to be appointed by the governor, with the approval of the senate. All these executive officers of State are to receive at stated times, during their continuance in office, a compensation for their services. The amount is not to be increased or diminished during the period for which they have been elected, and none of these officers

are to receive for their own use any fees for the performance of official duties.

The judicial department is divided as follows :—A supreme court, district courts, county courts, and justices of the peace; the powers and duties of each of which division are very clearly defined by the constitution, and seem admirably adapted for the purpose of ensuring the cheap, speedy and effectual administration of the law.

A standing army is prohibited, and the defence of the country in ordinary times is committed to a militia, which is to be organized and disciplined under the legislature, and to be at the command of the governor, to execute the laws of the State, to suppress insurrections, and to repel invasions.

The article with respect to Education deserves to be quoted in full, in order to show the liberal and tolerant spirit in which the intellectual training and developement of the future citizens of the State is provided for.

“ARTICLE IX.—*Education.*

“SECTION 1.—The legislature shall provide for the election, by the people, of a Superintendent of Public Instruction, who shall hold his office for three years, and whose duties shall be prescribed by law, and who shall receive such compensation as the legislature may direct.

“2. The legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement. The proceeds of all lands that may be granted by the United States to this State for the support of the schools, which may be sold or disposed of, and the five hundred thousand acres of land granted to the new States, under an act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A.D. 1841; and all estates of deceased persons who may have died without leaving a will, or heir, and also such per centage as may be granted by Congress on the sale of lands in this State, shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the legislature may provide, shall be inviolably appropriated to the support of common schools throughout the State.

"3.—The legislature shall provide for a system of common schools, by which a school shall be kept up and supported in each district, at least three months in every year; and any school district neglecting to keep up and support such a school, may be deprived of its proportion of the interest of the public fund during such neglect.

"4.—The legislature shall take measures for the protection, improvement, or other disposition of such lands as have been or may hereafter be reserved or granted by the United States, or any person or persons, to this State for the use of a university; and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be and remain a permanent fund, the interest of which shall be applied to the purposes of said university, with such branches as the public convenience may demand, for the promotion of literature, and the arts and sciences, as may be authorised by the terms of such grant. And it shall be the duty of the legislature, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of the said university."

Powers are given in a separate article for revising the constitution, but the ultimate decision rests with the whole people. Any movement for altering or amending any of its provisions, within either house of the legislature, must be submitted to the decision of the qualified electors—not settled by their representatives.

From the "Miscellaneous provisions," we extract the subjoined enactments on social, moral, and domestic questions, as novelties in the constitution, solemnly decided upon for the government of what is destined to become a great, powerful and wealthy State:—

"Any citizen of this State who shall, after the adoption of this constitution, fight a duel with deadly weapons, or send or accept a challenge to fight a duel with deadly weapons, either within this State or out of it; or who shall act as second, or knowingly aid or assist in any manner those thus offending, shall not be allowed to hold any office of profit, or to enjoy the right of suffrage under this constitution.

"Members of the legislature, and all officers, executive



and judicial, except such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation :

“ I do solemnly swear (or affirm, as the case may be,) that I will support the constitution of the United States and the constitution of the State of California; and that I will faithfully discharge the duties of the office ——— according to the best of my ability.’ And no other oath, declaration, or test, shall be required, as a qualification for any office or public trust.

“ The credit of the State shall not in any manner be given or loaned to, or in aid of, any individual, association, or corporation : nor shall the State, directly or indirectly, become a stockholder in any association, or corporation.

“ No contract of marriage, if otherwise duly made, shall be invalidated for want of conformity to the requirements of any religious sect.

“ Taxation shall be equal and uniform throughout the State. All property in this State shall be taxed in proportion to its value, to be ascertained as directed by law : but assessors and collectors of town, county, and State taxes, shall be elected by the qualified electors of the district, county or town, in which the property taxed for State, county, or town purposes is situated.

“ All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterwards by gift, devise or descent, shall be her separate property : and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property, as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife’s separate property.

“ The legislature shall protect by law, from forced sale, a certain portion of the homestead and other property of all heads of families.

“ No perpetuities shall be allowed, except for eleemosynary purposes.

“ Every person shall be disqualified from holding any

office of profit in this State, who shall have been convicted of having given, or offered, a bribe, to procure his election or appointment.

“Laws shall be made, to exclude from office, serving on juries, and from the right of suffrage, those who shall hereafter be convicted of bribery, perjury, forgery, or other high crimes. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon, from power, bribery, tumult, or other improper practice.”

The 12th Article defines the boundary of the State as follows:—

“Commencing at the point of intersection of the 42nd degree of north latitude with the 120th degree of longitude west from Greenwich, and running south on the line of said 120th degree of west longitude, until it intersects the 39th degree of north latitude, thence running in a straight line in a southeasterly direction to the River Colorado, at a point where it intersects the 35th degree of north latitude, thence down the middle of the channel of said river, to the boundary line between the United States and Mexico, as established by the Treaty of May 30th 1848: thence running west and along said boundary line to the Pacific Ocean, and extending therein three English miles; thence running in a north-westerly direction, and following the direction of the Pacific Coast to the 42d degree of north latitude, thence on the line of the 42d degree of north latitude to the place of beginning. Also, all the islands, harbours and bays, along and adjacent to the Pacific Coast.”

By a schedule attached to the constitution, full instructions were given as to the manner in which the approval or disapproval of this constitution by the people was to be signified; the transitional arrangements necessary to give it effect, and carry it into operation; and the various divisions into which the Convention had temporarily mapped out the country, with the number of Senators and Members of Assembly to be sent by each.

The delegates submitted the result of their deliberations and labours, accompanied by an address, which is worthy of

preservation, as a simple and straightforward exposition of the motives by which the Convention were actuated, and the truly liberal, unsectarian, and enlightened spirit in which they proceeded to legislate for their own time, and for generations yet unborn.

“Acknowledging the great fundamental principle, that all political power is inherent in the people, and that government is instituted for the protection, security, and benefit of the people, the Constitution presented for your consideration, is intended only to give such organic powers to the several departments of the proposed government as shall be necessary for its efficient administration: and while it is believed no power has been given, which is not thus essentially necessary, the Convention deem individual rights as well as public liberty are amply secured, by the people still retaining not only the great conservative power of free choice and election of all officers, agents and representatives, but the inalienable right to alter or reform their government, whenever the public good may require it.

“Although born in different climes, coming from different States, imbued with local feelings, and educated perhaps with predilections for peculiar institutions, laws and customs, the delegates assembled in Convention as *Californians*, and carried on their deliberations in a spirit of amity, compromise, and mutual concession for the public weal.

“It cannot be denied that a difference of opinion was entertained in the Convention, as to the policy and expediency of several measures embodied in the Constitution; but looking to the great interests of the State of California, the peace, happiness, and prosperity of the whole people, individual opinions were freely surrendered to the will of the majority, and, with one voice, we respectfully but earnestly recommend to our fellow-citizens the adoption of the Constitution which we have the honour to submit.

“In establishing a boundary for the State, the Convention conformed, as near as was deemed practical and expedient, to great natural landmarks, so as to bring into a union all those who should be included by mutual interest, mutual wants, and mutual dependence. No portion of territory is included,

the inhabitants of which were not, or might not have been, legitimately represented in the Convention, under the authority by which it was convened; and in unanimously resolving to exclude slavery from the State of California, the great principle has been maintained, that to the people of each State and territory, *alone*, belongs the right to establish such municipal regulations, and to decide such questions as affect their own peace, prosperity, and happiness.

“ A free people, in the enjoyment of an elective government, capable of securing their civil, religious, and political rights, may rest assured these inestimable privileges can never be wrested from them, so long as they keep a watchful eye on the operations of their government, and hold to strict accountability those to whom power is delegated. No people were ever yet enslaved who knew and dared maintain the co-relative rights and obligations of free and independent citizens. A knowledge of the laws, their moral force and efficacy, thus becomes an essential element of freedom, and makes public education of primary importance. In this view, the Constitution of California provides for and guarantees, in the most ample manner, the establishment of common schools, seminaries, and colleges, so as to extend the blessings of education throughout the land, and secure its advantages to the present and future generations. Under the peculiar circumstances in which California becomes a State—with an unexampled increase of a population, coming from every part of the world, speaking various languages, and imbued with different feelings and prejudices—no form of government, no system of laws, can be expected to meet with immediate and unanimous assent. It is to be remembered, moreover, that a considerable portion of our fellow-citizens are natives of Old Spain, Californians, and those who have voluntarily relinquished the rights of Mexicans, to enjoy those of American citizens. Long accustomed to a different form of government, regarding the rights of person and property as interwoven with ancient usage and time-honoured customs, they may not at once see the advantages of the proposed new government, or yield an immediate approval of new laws, however salutary their provisions, or conducive to the general welfare. But it is confi-

dently believed, when the government, as now proposed, shall have gone into successful operation ; when each department thereof shall move on harmoniously in its appropriate and respective sphere ; when laws based on the eternal principles of equity and justice shall be established ; when every citizen of California shall find himself secure in life, liberty, and property, all will unite in the cordial support of institutions, which are not only the pride and boast of every true-hearted citizen of the Union, but have gone forth a guiding-light to every people groping through the gloom of religious superstition or political fanaticism. Institutions which, even now, while all Europe is agitated with the convulsive efforts of nations battling for liberty, have become the mark and model of government for every people who would hold themselves free, sovereign, and independent.

“ With this brief exposition of the views and opinions of the Convention, they submit the Constitution and plan of government for your approval. They earnestly recommend it to your calm and deliberate consideration, and especially do they most respectfully urge on every voter to attend the polls.

“ The putting into operation of a government which shall establish justice, ensure domestic tranquillity, promote the general welfare, and secure the blessings of civil, religious, and political liberty, should be an object of the deepest solicitude to every true-hearted citizen, and the consummation of his dearest wishes. The price of liberty is eternal vigilance, and thus it is not only the privilege but the duty of every voter, to vote his sentiments.”

The Convention celebrated the close of its labours by a ball, to which they invited the citizens of Monterey. The scene, as described by Mr. Taylor, is in keeping with the yet partially developed powers of this young giant : there is something about it that smacks of the simplicity of the patriarchal age, and of a genial, unrestrained, social spirit, and a readiness to be pleased, that vanishes as nations grow older.

“ The hall was cleared of the forum and tables, and decorated with young pines from the forest. At each end were the American colours, tastefully disposed across the boughs.

Three chandeliers—neither of bronze nor cut glass, but neat and brilliant withal—poured their light on the festivities. At eight o'clock—the fashionable ball-hour in Monterey—the guests began to assemble, and in an hour afterwards the hall was crowded with nearly all the Californian and American residents. There were sixty or seventy ladies present, and an equal number of gentlemen, in addition to the members of the Convention. The dark-eyed daughters of Monterey, Los Angeles, and Santa Barbara, mingled in pleasing contrast with the fairer bloom of the trans-Nevadian belles. The variety of features and complexion was fully equalled by the variety of dress. In the whirl of the waltz, a plain, dark, nun-like robe would be followed by one of pink satin and gauze; next, perhaps, a bodice of scarlet velvet with gold buttons, and then a rich figured brocade, such as one sees on the stately dames of Titian.

“The dresses of the gentlemen showed considerable variety, but were much less picturesque. A complete ball-dress was a happiness attained only by the fortunate few. White kids could not be had in Monterey for love or money, and as much as fifty dollars was paid by one gentleman for a pair of patent-leather boots.                   \*                   \*                   \* ”

“The band consisted of two violins and two guitars, whose music made up in spirit what it lacked in skill. They played but three pieces alternately, for waltz, contre-dance, and quadrille. The latter dance was evidently an unfamiliar one, for once or twice the music ceased in the middle of a figure. Each tune ended with a funny little squeak, something like the whistle of the octave flute in *Robert le Diable*. The players, however, worked incessantly, and deserved good wages for their performances.

“At 12 o'clock supper was announced. The court-room in the lower story had been fitted up for this purpose, and, as it was not large enough to admit all the guests, the ladies were conducted thither and waited upon by a select committee. The refreshments consisted of turkey, roast pig, beef, tongue and *pates*, with wines and liquors of various sorts, and coffee. A large supply had been provided, but after everybody was served, there was not much remaining.”

The signing of the constitution was announced by the firing of thirty-*one* guns, the last being intended to symbolize the new State that had been added to the American Federation. The last act of the Convention, after having formally dissolved, was to visit General Riley, the Governor appointed by the United States, who was unprepared for such a step, and, warmly impressed by what followed. Captain Sutter, on behalf of the Convention, thus addressed him:—

“General: I have been appointed by the delegates, elected by the People of California to form a constitution, to address you in their names and in behalf of the whole people of California, and express the thanks of the Convention for the aid and co-operation they have received from you in the discharge of the responsible duty of creating a State Government. And, Sir, the Convention, as you will perceive from its official records, duly appreciates the great and important services you have rendered to our common country, and especially to the people of California, and entertains the confident belief that you will receive from the whole of the people of the United States, when you retire from your official duties here, that verdict so grateful to the heart of the patriot: ‘Well done, thou good and faithful servant.’”

The reply to this unexpected compliment was—

“Gentlemen: I never made a speech in my life. I am a soldier—but I can *feel*; and I do feel deeply the honour you have this day conferred upon me. Gentlemen, this is a prouder day to me than that on which my soldiers cheered me on the field of Contreras. I thank you all from my heart.

“I am satisfied now that the people have done right in electing delegates to frame a constitution. They have chosen a body of men upon whom our country may look with pride: you have framed a constitution worthy of California. And I have no fear for California while her people choose their representatives so wisely. They will do right; this Convention has convinced me that the people can and will always act right. Gentlemen, I congratulate you upon the successful conclusion of your arduous labours; and I wish you all happiness and prosperity.”

“Thus we have” says Mr. Taylor, “another splendid

example of the ease and security with which people can be educated to govern themselves. From that chaos, whence, under the rule of a despotism like that of Austria, the most frightful excesses of anarchy and crime would have sprung, a population of freemen peacefully and quietly develops the highest form of civil order—the broadest extent of liberty and security.”

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## CHAPTER XII.

*Election of the first State Officers and Legislature.—Division of the Country into Counties.—Homestead Exemption.—Public Domain and Educational Endowments.—Survey and Allotment of Lands.—United States Senators.—Obstacles to the admission of California into the Union, on account of the Slavery Question.—Land Claims and State Rights over the Mines.—Views of the Central Government.—Routes to the Pacific.—Panama, Tehuantepec, Nicaragua.—The Pacific Railroad.—Arrangements with the Indians and for the survey of the Line.—Advantages of the Northern Route.—The Commercial Prospects of the new State.*

THE Constitution thus prepared and submitted to the people for approval and ratification, was unanimously adopted, and the first State officers and legislators appointed under its provisions, are now exercising the powers, and discharging the duties, appertaining to their respective offices. We subjoin a list of the executive officers: Governor—Peter H. Burnett; Lieutenant-Governor and Speaker of the Senate—J. McDougal; Secretary of State—William V. Voorhees; Treasurer—Richard Roman; Comptroller—John S. Houston; Surveyor-General—Charles J. Whiting; Attorney-General—Edward J. C. Kewen.

“Among the names of the members of both Legislative Chambers, there are (says the “Pacific News,”) many familiar



to the eye, as having been conspicuous in the States; and we mean no disparagement, when we assert that in the first legislature of California may be found an array of talent second to none in the Union. The labour necessary to put in motion the great State machine, from a condition of comparative anarchy, is very arduous; but when the litter is once cleared away, and a glimmering of daylight discovered, we confidently look for a system of legislation as highly honourable and useful to our State, as it will be creditable to those who shall originate it."

The State has been divided by the legislature into the following counties, and seats for the administration of local justice established therein:—San Diego, Los Angeles, Santa Barbara, San Luis Obispo, Monterey, Branciforte, San Francisco, Santa Clara, Mount Diablo, Marin, Sonoma, Solano, Yolo, Mendocino, Sacramento, Coloma, Sutter, Butte, Yuba, Colusa, Shasta, Trinity, Calaveras, Tuolumne, Mariposa—25 in number.

An important act, entitled the "Homestead Exemption Act," has been passed, and came into operation on the first of March in the present year. The following is a summary of its provisions:—1. It secures from forced sale the householder of eighty acres of land in the country, dwelling and appurtenances; in any city or town, one lot fifty feet front and rear, and fifty Spanish varas deep. The exemption not to extend to any mechanic's or labourer's lien, nor to any mortgage of the same, signed by the wife; nor to any sale of the same for the non-payment of taxes. 2. The householder must be a resident of the State to claim the benefits of the exemption. 3. All household goods, furniture, and utensils, in value not exceeding 750 dollars, twenty sheep and their fleeces, and cloth manufactured from the same; two cows, five swine; all necessary pork, beef, fish, flour, corn, vegetables, and other provisions actually provided for family use, and fuel for six months; family Bible; family pictures, library and school books; his arms and accoutrements. The tools, implements, materials, stock, team, &c., necessary to the carrying on of his trade, calling, or profession, and all necessary food for six months for the animals, exempted from sale

by this bill. 4. No bill of sale, lien, or chattel mortgage, of any of the property exempted by this bill (except the articles named in the eighth section of the bill relating to the tools, implements, &c., above alluded to), to be valid, unless signed by the wife. Also exempts a church seat or pew, all spinning-wheels, weaving looms and stoves.

A series of resolutions, having reference to the Public Domain, have also been agreed to, subject to the confirmation of the Congress at Washington, within whose jurisdiction these questions fall, according to the Federal Constitution. As, however, they are in conformity with the usual course of American legislation, it may be presumed that they will pass into law; and their provisions having a direct bearing upon the position which emigrants will occupy, relative either to gold-digging, or settling for permanent occupation, we give the substance of these resolutions. The first proposes a law *prohibiting all persons, save American citizens, from working at or extracting gold, or other precious metals, from the mineral lands within the State of California*; and opposes the passage of any law or laws whereby such lands might be sold or leased: but provides that the same be for ever held by the general government, with the privilege to each and every *American citizen*, wishing so to do, to work in the same, free from any toll or tax whatever. The second is for the extension of the pre-emption laws of the United States over the public domain within the State of California, save and except the mineral lands, whereby will be secured to each actual settler an amount of land not exceeding 160 acres, and upon conditions the best calculated to foster agricultural pursuits.

In the laying out of these lands, laws are to be enacted by which, in the survey and disposal of the public domains, reasonable provisions are to be made, by which as large a number of purchasers or pre-emptioners as is practicable may procure lands fronting upon the rivers or other bodies of water in the State.

The next resolution has reference to the enactment by Congress of laws, granting to the State, for educational and other purposes, an amount of land equal to that heretofore appropriated to any other State for similar purposes. Laws are

also proposed for establishing a custom-house at each of the ports of Sacramento City, Stockton, Benicia, Monterey, and San Diego ; also, for the establishment of a branch mint of the United States at some proper point in the State of California. Colonel Fremont, and Doctor Gwinn, an eminent member of the Convention, were chosen Senators of the United States.

In the message of the President of the United States at the opening of the present session of the legislature, he recommended the application of California to be admitted into the Union as a sovereign State, to the favourable consideration of Congress ; but though some months have elapsed since the application was made, that recommendation has not been carried into effect at the time we write, though there can be no doubt that it will be so.

A brief explanation of the cause of the delay may not be uninteresting, especially to those who may contemplate emigrating, because it involves a very important point in the constitution of the State ; and, should the decision of Congress be adverse to the application of the State of California, may lead to the establishment of another Federation of Sovereign Republics west of the Rocky Mountains, which would include Upper and Lower California, Deseret, Mexico, New Mexico, Oregon, and several others.

The Constitution of California decides against the existence of slavery, or any species of involuntary servitude within its boundaries. The slave question is one of the most difficult and most threatening connected with the Federal Constitution of the States, and upon which party feeling runs higher than upon any other whatever.

There are, at present, thirty States in the great North American Federal Union. Of these, fifteen are unpolluted by Slavery, and fifteen maintain that " domestic institution." They are thus equally balanced in the Senate ; and the contested point is, in effect, whether the Free or the Slave States shall, in future, have the predominance in the Central Legislature and Executive, and, by consequence, whether Free Labour or Slavery shall prevail throughout the Union. According to the constitution of the Republic, as soon as any

part of a territory governed as a dependency by the Central Executive, acquires a certain number of inhabitants, it may forthwith claim to be erected into a State, possessing full control over its internal affairs, and sending Representatives and senators to Washington, to take part in the general government of the Federation. Shall these dependencies—these enormous territories, as yet uninvested with political power, but destined to be so rapidly and successively—shall they add to the weight and influence of Free Labour, or be suffered to augment the number of the Slave States?

The principle involved in this dispute has at various periods threatened the disruption of the Union, though by timely compromises on each of these occasions a severance has been avoided. The last compromise was made in 1820, when, what was called the Missouri line was adopted by Congress, as a definite settlement of the difficulty.

According to this arrangement, all States, formed in future of territory north to the parallel of 36 deg. 30 min. were to be States of free soil; while those formed south of the line were to retain or abolish slavery, as they pleased. The parallel thus drawn struck the Mississippi a little below its confluence with the Missouri, and divided the unsettled territory of the States, at that time, into two portions, of which the larger half was destined to be cultivated exclusively by free labour.

For a quarter of a century this compromise set the question at rest. The slave States have, however, raised it again. They felt that the north was outstripping them, and in order to restore the balance, as they imagined, they suggested the annexation of Texas, an immense territory lying within their line, and out of which ten or twelve slave-holding States might be constructed. Accordingly, Texas was "annexed;" and, could the matter have stopped there, perhaps the Southerners would have really gained by their move. But it did not do so. The annexation of Texas entailed the war with Mexico—that again ended in the defeat of the latter, and the seizure of California and New Mexico. The larger portion of these countries lies south of the Missouri compromise line; and the admission of these States into the Union as

Free States will undoubtedly give a preponderance in Congress to the "Free Soil" party, and strike a decisive blow against the perpetuation of slavery within the Union.

It will be seen, therefore, that immense political issues are dependent on the decision of the Congress.

In the meantime, instructions have been issued by the Central Executive Government for the erection of light-houses on the Pacific Coast for the safety of the increasing commerce. The recommendation of a branch mint has met with a response from the President of the States, and commissions are formed to examine and decide upon the validity of the subsisting land titles in California. Provision has also been made for the survey and bringing into market the public lands under the general instruction, that "those lands remote in position and difficult of access, ought to be disposed of on terms liberal to all, but especially favourable to the early emigrants."

"The most important," says the President, "of the sovereign rights transferred to the Union by the cession of California, is that which was invariably asserted by the Crown of Spain, and jealously guarded by Spanish legislation, over metallic veins, especially of the precious metals. Mines of gold, silver, and mercury were held by the law of Spain to belong to the Royal patrimony, and were not even included in general grants of land. But an ordinance of Philip II, of 1584, encourages discoveries and the working of mines by conceding them to private persons, with the reservation of a royalty of one-fifth to the king. This right is believed to have been retained by Mexico, and to have passed from her to the United States, even in those cases in which valid grants of land have been made by the former lords of the soil. Some of the grants cover to a considerable extent the mines of gold and quicksilver. But the exercise of these rights must now be regulated with greater precision by the laws of the United States."

In the settlement of the various conflicting claims which may arise in the course of the debates on these subjects, it is not improbable that a contest may arise between the interest of California herself, and that of the Union. By the resolutions relative to the public domains, agreed to by the

Californian legislature to be submitted to Congress, it will be seen that the Californians themselves propose that the mines should be reserved by the State as public property, and that all American citizens should be permitted to work them free of any toll or tax whatever. This extraordinarily liberal proposal is, however, scarcely likely to be acceded to by the Congress. It is not probable that the Union will surrender the sovereign right over the mines, without in some way or other making them repay to the treasury the expenses of the conquest. Accordingly, both in the message of the President, and in the report of the Minister of the Interior, we find that totally opposite views are expressed. The President says :—

“In order that the situation and character of the principal mineral deposits in California may be ascertained, I recommend that a geological and mineralogical exploration be connected with the linear surveys, and that the mineral lands be divided into small lots suitable for mining, and be disposed of by sale or lease, so as to give our citizens an opportunity of procuring a permanent right of property in the soil. This would seem to be as important to the success of mining as of agricultural pursuits.”

The report of the Secretary of State, after giving some interesting details of the productiveness of the mines, states, that those which are known to exist upon the lands of individuals are of small comparative importance, by far the larger part being upon unclaimed public land.

“No existing law puts it in the power of the executive to regulate these mines, or protect them from intrusion. Hence, in addition to our own citizens, thousands of all nations and languages flock in and gather gold, which they carry away to enrich themselves, leaving the land so much the less in value by what they have abstracted, and they render for it no remuneration, direct or indirect, to the government or people of the United States. Our laws, so strict in the preservation of public property that they punish our own citizens for cutting timber on the public lands, ought not to permit strangers who are not, and who never intend to become citizens, to enter at pleasure on these lands and take from

them the gold which constitutes nearly all their value. Some legal provision is necessary for the protection and disposition of these mines, and it is a matter worthy of much consideration how they should be disposed of so as best to promote the public interest, and to encourage individual enterprise."

It is, however, admitted that the state of the law on this subject is not very clearly settled, though, while the territories of the Union have not the rank of States, the Congress has an absolute right by the Federal Constitution to deal with them as it may think fit. In deciding the terms upon which California will be admitted into the Union, no doubt this question will receive due consideration, and these terms will be of course liable to any special covenants which the wealth of her soil may suggest. The immediate measure proposed by the American government is, that a branch Mint of the United States shall immediately be established in the principal mining district, not only for the purpose of coining, but of collecting the whole of the metals previously raised by private adventurers. If the lands are divided, and disposed of by lease or by sale (the former system being preferred), they will be held, as far as the mineral rights are concerned, upon condition that all the gold found shall be delivered to the officer of the mint. A seignorage will then be deducted from the value of the gold so brought in for coinage, and the balance carried to the credit of the miner, and paid to him either in coin or assayed bullion, or in draughts on the treasury of the United States.

This plan will greatly conduce to the security of the mining operations, and raise the precious metals there to their true market value, and therefore, being so obviously for the interest of all parties, is likely to be adopted.

The intending emigrant must, however, keep in view, that all these political and territorial questions are yet unsettled, and that if he resolves to become a Californian citizen, he must do so, subject to the ultimate decision that may be come to by the Congress. Whether the American continent is to be ultimately under the dominion of one Federal Republic, or divided into an Atlantic and a Pacific Federation, will mainly depend upon the facilities of communication and of transit

between the opposite shores. At present they are nearly as widely separated as our Indian possessions, or our Australian colonies, are from Great Britain. It is as easy for a Londoner to emigrate to San Francisco, as for a New Yorker or a Bostonian. It takes more than twice as long to reach San Francisco from New York by the quickest route, as it does to reach London from the same port. If the Atlantic and Pacific republics are to remain in the same confederation, they must be brought together and become near neighbours, as well as the members of one political system. The people and the government of the United States, have not been slow to perceive this necessity, and have already commenced to act upon these convictions with that promptitude which distinguishes them in such matters. The vast importance, value and convenience of shortening the circuitous and at all times dangerous route round Cape Horn, has long been known in the commercial world, and numerous plans have been suggested for the purpose. The Straits of Magellan offer a somewhat shorter route, but the passage is surrounded with so many difficulties and obstructions, that practically it is seldom available. A route across the Isthmus of Panama has been frequently proposed, and another by way of the Isthmus of Tehuantepec. The Panama route, especially, has occupied a large amount of public attention at various periods, we may say for several generations. The magnitude of the enterprise, the vast amount of capital it would require, and the probable unremunerative nature of the undertaking to private capitalists, have, however, up to this time, prevented it from being entered upon. Now, however, the discovery of California, and the settlement of Oregon and New Mexico by the Americans, has totally altered the aspect of affairs. The construction of a railroad across the Isthmus of Panama has already been commenced; and it is almost certain that a canal, free to the ships of all nations, will be formed through the State of Nicaragua, which will unite the waters of the Atlantic and Pacific Oceans. These routes, however, should be open to all the world, and their advantages be participated in by the commerce of all nations. The Americans want a road of their own, and they have prepared the plan of one of the most



stupendous undertakings that has ever been projected; viz. a railroad across the vast wildernesses, boundless prairies, and mountain ranges, which lie between the placers on the western slopes of the Sierra Nevada, and the great basin of the Mississippi, already traversed by the steam boat. The Secretary of the Interior, in the report to which we have already adverted, enumerates the principal reasons for undertaking such a gigantic work. The large and unprecedented emigration into California, must necessarily give rise to a demand for increased facilities of communication. It has already a considerable commerce, which is constantly increasing, and must soon become very extensive, not only with the United States and Europe, but with China, the Pacific Islands and Japan, which last country, however zealous in its exclusion of foreign traders, will not, it is believed, close its ports against Californian gold. Some means of communicating across the continent, through their own territory, with reasonable speed and safety, is necessary for the population on either coast, and is also required to aid the government in controlling the Indian tribes of the intermediate country, and in protecting from their incursions and depredations the two lines of frontier settlements which are gradually approaching each other. Public opinion has declared itself in favour of a railroad, and, in order to give effect to that opinion, the government propose a careful reconnaissance of the country by a scientific corps. Pending the necessary surveys, and the deliberations required by so weighty a subject, it is proposed to form amicable arrangements with the Indian tribes, by which they shall receive an annual indemnity for the right of way across their hunting fields, and for the consumption of grass and game by the Anglo-American emigrants. The report states, that the expectation of the Indians for compensation is a just one. The prairie is their pasture field—the buffalo, their herds—which, if used by the emigrants, should be paid for. It is proposed that the indemnity shall consist in the payment of small annuities, and in useful articles of merchandise, agricultural implements, and of instruction, in the hope that by these means they may be won from their roving habits, their thirst for war and bloodshed allayed, and that they may thus be

gradually won over to agriculture, and ultimately to civilization. Whether the constitutional organization of the red-men will permit the realization of these benevolent views, is doubtful, but the government deserve credit for proceeding on such humane and equitable principles

The specific plan which has attracted the largest share of public attention in the States, is that devised by Mr. Whitney. It has been presented to various legislatures of the States, and received the approbation of two-thirds of them. The route he proposes is the northern. Lieutenant Wilkes, who has explored the country, thus describes it:—

“Nature here invites the enterprise. The distance is the shortest; it has few, if any, difficulties to overcome; the lands it would pass through are some of the best in the western country; and the greater part of the whole distance can become densely populated, and open out an entirely new country, towards which our own population and the emigrants are even now wending their way in tens of thousands, seeking a quiet home from the troubles of the old world.

“The northern route contemplated has a delightful climate, suitable for the full development of the human frame, and all the accompaniments of civilisation. It has been found by examination to be practicable throughout the whole distance, and at its western terminus there are excellent ports. All the great barriers on other routes are, on this line, either modified into gentle hills or rent asunder, and the way is thus made clear for the undertaking. The construction of this road across the head-waters of all the great rivers, touching the limits of their navigation, will add to the inland commerce by transporting the products brought on this ‘iron river’ from the remotest parts of the globe to all the cities, towns, and landings on the vast waters of the Mississippi and its tributaries.

“The country, for the first eight hundred miles, is admirably adapted for the purpose, offering no impediments whatever; and after this distance such a route will offer, as to place the whole country on the eastern slope of the Rocky Mountains subservient to its use and support—a portion of the country, from the accounts of those who have visited it, surpassed by

none in fruitfulness or climate. The passage through the mountains is known to be without difficulty, and the course to the point of its destination almost a direct line, until the lower waters of the Columbia are reached, when a short divergence brings it to a terminus on the waters of Puget's Sound (Oregon), one of the most noble estuaries in the world; without a danger of any kind to impede navigation, with a surrounding country capable of affording all kinds of supplies, harbours without obstructions at any season of the year, and a climate unsurpassed in salubrity."

When the route is completed, the entire distance between the the harbour of New York and Bay of San Francisco—upwards of three thousand miles—will be run over in about a week. Formidable difficulties will have to be encountered in the prosecution and execution of this gigantic scheme; but, ere another generation shall have elapsed, it is all but certain that the railway whistle will be heard across the prairies of the Western Continent, and the Red man and the buffalo be driven from their last and most inaccessible wilderness.

The completion of all or any of these routes, will necessarily produce a vast revolution in the commerce of the world, and give it a new political and social aspect. One of the most probable consequences, is the transference of the trade of Asia with Europe from the old route, to the Pacific Railroad through the United States. It will probably open up the markets of China to the grain and other agricultural produce of the Western States, and despotic Asia will thus be brought into close and intimate relations with active, stirring, republican America. By means of the other routes, California will hold large and profitable intercourse with Europe; and thus favourably situated for commanding the trade and commerce of three continents, she seems destined to become the centre of a group of commonwealths on the shores of the Pacific ocean.

## CHAPTER XIII.

*Mormon State of Deseret. — Origin of the Sect. — Revelations to Smith, the so-called Prophet. — Book of Mormon. — Alleged fraud as to its concoction and production. — Rapid spread of the new Doctrines. — Settlement in Missouri. — Civil War, and Expulsion of the Mormons. — Settlement in Illinois. — Foundation and Progress of Nauvoo. — Splendid Mormon Temple. — Hostile feeling of the surrounding population. — Arrest and Murder of the Mormon Prophet and his Brother. — Internal Dissensions. — Continuation of the Contest, and second Expulsion of the Mormons. — Journey into the Great Basin. — Settlement on the Utah. — Erection of the City of the Great Salt Lake. — Mode in which it is laid out. — Agricultural Productions. — Climate. — Rapid growth of Population. — Convention at the capital city. — Formation of a Constitution. — Its liberal and unsectarian character. — Declaration of Rights. — Election of a Provisional Government. — Local Legislature, and Delegate to United States Congress. — Memorial requesting that Deseret should be erected into a State or Territorial Government. — Celebration of the Anniversary of Arrival. — Probability of the growth of a powerful Community, under the designation of Mormons. — Singular political and religious aspect of the question connected with their admission into the United States.*

EVERYTHING connected with the recent settlement of this region bears the stamp of the marvellous. In the preceding chapters, the unprecedentedly rapid and gigantic rush of population to the gold country, west of the Sierra Nevada, has been fully related, but our account would be incomplete if we left unnoticed the new and singular State which is rising up on the eastern side of those mountains, in the midst of the surrounding deserts of the Great Basin. It has been already stated, that a body of persons called Mormons, had settled in this generally barren region (which comprises three-fourths

of Upper California Proper) previous to the discovery of the "placers."

The circumstances which drove this people into the wilderness, and the origin, progress, and present position of the sect, are so extraordinary, and of themselves form so strange a page of human history, that a brief abstract of the facts will prove interesting, previous to describing the existing condition and prospects of the eastern Californian State. At a time when knowledge is supposed to be generally diffused among all classes of the population, it discloses the promulgation of a new revelation, the advent of a new prophet, and the formation of a new sect, which remind one more of the career of Mahomet, the founder of the Turkish religion, than any other event in history.

Of the religious tenets of the Mormons it is not our intention to speak, as such matters would be unsuitable to this work. It may suffice to say, that they appear to be similar to those professed by the German Anabaptists in the time of Luther, and are therefore sufficiently ultra. The creed of the sect is based upon a revelation, said to have been made to Joseph Smith, junior, and contained in the "Book of Mormon. An account written by the hand of Mormon upon plates taken from the plates of Nephi." This is the account given by the Mormons themselves of the manner in which the revelation was made:—

Joseph, or, as he was generally called, "Joe Smith," stated, that, reflecting upon the many hundred denominations into which the Christian world is divided, he went into a grove at a short distance from his father's house, and there besought Divine aid to show him which of all the rival claimants was the true church. "While thus pouring out his soul," says the narrative published by the Mormonite church, "anxiously desiring an answer from God, he at length saw a very bright and glorious light in the Heavens above, which at first seemed to be at a considerable distance. He continued praying, while the light appeared to be gradually descending towards him; and, as it drew nearer, it increased in brightness and magnitude, so that by the time that it reached the tops of the trees, the whole wilderness for some distance around was illuminated in

a most glorious and brilliant manner." Into this cloud of glory, says the narrative, Smith was received, and met within it two angelic personages, who exactly resembled each other in their features; they informed him that all his sins were forgiven; that all the religious denominations then existing were believing in erroneous doctrines, and consequently, "that none of them was acknowledged by God as his church and kingdom." At the same time he received a promise, "that the fulness of the gospel should, at some future time, be made known to him." This account is similar to that related by Mahomet of the first revelation he received, the coming of the angel Gabriel to his cave, the purification from original sin, and the promise of a future revelation, to be given when he made the first journey to heaven. Like Mahomet also, Joseph Smith is stated to have paid little attention to the first revelation, but a second was vouchsafed to him in his bed room, on the night of the 21st of September, 1826. A single personage appeared by his bedside, and, notwithstanding the brightness of the light which previously illuminated the room, "there seemed to be an additional glory surrounding or accompanying this personage, which shone with an additional degree of brilliancy; and though his countenance was as lightning, yet it was of a pleasing, innocent and glorious appearance, so much so, that every fear was banished from the heart, and nothing but calmness pervaded the soul. The stature of this personage was a little above the common size of men in this age; his garment was perfectly white, and had the appearance of being without seam." This celestial being informed Smith that the American Indians were "a remnant of Israel," who had anciently prophets and inspired writers amongst them, and that some of their records, "by commandment of God to one of the last of the prophets," had been deposited in a safe and secret place, to keep them from the hands of the wicked, who sought to destroy them.

The third revelation, which was made on the following morning, informed Joseph Smith of the place where these relics were deposited: it was "in a large hill on the east side of the mail road from Palmyra, Wayne County, to Canan-

digua, Ontario County, State of New York, about four miles from Palmyra, and within one of the little village of Manchester;" there Smith found a square stone chest, containing plates like gold—"about seven by eight inches in width and length, being not quite so thick as common tin." The devil made his appearance while the box was being opened, but for what purpose is not explained in the narrative. The angel did not allow Smith to take those plates until he had been instructed in the Egyptian language, for it was in the "modern Egyptian" characters and language, that those plates were graven. On the 22nd of September, 1827, or a year after the revelation, the angel delivered the plates to Joseph Smith, junior; and in the course of the following year, he transcribed his translation of "the unsealed" portion of the records, under the name of the "Book of Mormon," which the narrative truly declares "contains nearly as much reading as the Old Testament."

The nature of the work, and the style in which it is written, may be judged of from the following description of its contents:—

"Wherefore, it is an abridgment of the record of the people of Nephi and also the Lamanites; written to the Lamanites, who are a remnant of the house of Israel, and also to the Jew and Gentile; written by way of commandment, and also by the spirit of prophecy and of revelation. Written and sealed up and hid up unto the Lord, that they might not be destroyed, to come forth by the gift and power of God unto the interpretation thereof; sealed by the hand of Mormon, handed up unto the Lord, to come forth in due time by the way of Gentile; the interpretation thereof by the gift of God.

"An abridgment taken from the Book of Esther also, which is a record of Israel, who were scattered at the time. God confounded the language of the people when they were building a tower to get to heaven; which is to show unto the remnant of the house of Israel what great things the Lord hath done for their fathers; and that they may know the covenants of the Lord, that they are not cast off for ever; and also, to the convincing of the Jew and Gentile that Jesus is the Christ, the Eternal God, manifesting himself unto all nations. And even if these are faults, they are the mistakes of men; wherefore, condemn not the things of God, that ye may be found spotless at the judgment seat of Christ."

The Book consists of two histories. The history of the Nephites is the first. They are described as having emigrated from Jerusalem under the guidance of the prophet Nephi, and having been miraculously led to America, where they became the progenitors of the Indian race. Many years after their settlement, they are supposed to have discovered the records of the Jaredites, an extinct nation, which came to America about the time of the building of the Tower of Babel; and the history or romance of this people constitutes the second narrative, the whole being comprised in a substantial work of 634 pages.

This is the Mormon statement of the origin of the revelation; impartiality demands that another and opposing account should be given.

From the testimony of a large number of persons residing in Wayne and Ontario counties, New York, it appears that Joseph Smith, junior, was originally a "money digger." It is a common belief in America, that large sums of money were buried in the earth by the buccaneers, and by persons compelled to fly from their homes during the revolutionary wars. Of this belief many impostors have taken advantage, declaring that they can discover the treasure by spells and incantations. The success with which Smith practised these arts, pointed him out as a fit associate to Sidney Rigdon and Oliver Cowdery, who had by accident become possessed of the manuscripts which were made the foundation of the "Book of Mormon." It is alleged, that at the outset there were two distinct stages of imposture, viz.—the pretended discovery of the metallic plates devised by Smith, and one Martin Harris; and the pretended translation of these plates, published as the "Book of Mormon," which appears to have been suggested by Sidney Rigdon.

Smith, Harris, and some others, were known as the "Gold Bible Company," before the pretended discovery of the plates, and for some time after that event seem to have had no notion of founding a new religion. In the authentication of the pretended discovery, signed by seven witnesses, which Smith published, the witnesses only testify—"We have seen and *lifted* [lifted], and know of a surety that the said Smith hath



got the plates of which we have spoken.' Hence the original fraud appears to have been a scheme of pretended treasures and forged antiquities.

The way in which this original fraud was connected with the "Book of Mormon," will be seen by the subjoined statement:—A clergyman, named Solomon Spaulding, left the ministry, and entered into business in Cherry Vale, New York, where he failed in the year 1809. The discovery of the antiquities of the "Mounds" occurred about the same time; and when he removed after his failure into the State of Ohio, he found much curiosity excited by these relics of extinct civilization. Long previous it had been a popular theory with certain speculative writers, that the aboriginal Americans were the descendants of the Ten Tribes; indeed, the theory has still many advocates in the United States. Spaulding hoped, by combining this theory with the recent discoveries, to produce a novel, the sale of which would enable him to pay his debts. He resolved to call it "The Manuscript Found," and to present it to the world as an historical record of the first inhabitants of America. As he was a vain man, he frequently read portions of the work to his friends and neighbours. His brother, his partner, his wife, and six of his friends, have testified—"That they well remember many of the names and incidents mentioned in Spaulding's manuscript, and that they know them to be the same as those found in the 'Book of Mormon.'"

The manuscript was prepared for press, and in 1812 Spaulding took it to a printer named Lamdin, residing in Pittsburgh, Pennsylvania: but, before any arrangement could be concluded, the author died; and as the MS. was of great extent, Lamdin was unwilling to risk his money on the speculation. He lent the MS. to Sidney Rigdon, who, on the death of Lamdin in 1826, joined with Smith in giving it to the world as a new revelation. The worthy associates re-wrote, added to, and greatly altered the work; and among these additions we find prominent the promise, that the New Jerusalem should be founded in America, the command that the saints should have a community of goods, and the rule, that all admitted into the body should receive baptism by total immersion.

In addition to the "Book of Mormon," another work was produced, called "The Book of Doctrines and Covenants," which the founders of the sect allow to be seen only by the initiated, and to be put into the hands only of those on whom they can depend. In this work, it is said by those who have seen it, the demand for money is to be found in every page. The following language is put into the mouth of the Supreme Being:—"Let all the monies which can be spared, it mattereth not unto us whether it be little or much, be sent up into the land of Zion, unto those whom I have appointed to receive—Let all those who have not families, who receive money, send it up to the Bishop of Zion, or unto the Bishop of Ohio, that it may be consecrated for the bringing forth of the revelations, and the printing thereof, and establishing Zion." sec. 17. "He that sendeth up treasures unto the land of Zion shall receive an inheritance in this world. And his work shall follow him. And also a reward in the world to come."—"It is meet that my servant Joseph Smith, jun., should have a house built in which to live and translate." And again "It is meet that my servant, Sidney Rigdon, should live as seemeth him good, inasmuch as he keepeth my commandments." sec. 64.

A significant trait of character, on the part of these two worthies, and the character of the individual, is revealed in the following injunction respecting Oliver Cowdery, one of the three witnesses to the supernatural origin of the "Book of Mormon":—"Hearken unto me, saith the Lord your God, for my servant Oliver Cowdery's sake. It is not wisdom in me that he should be intrusted with the commandments and the monies, which he shall carry up unto the land of Zion, except one go with him who is true and faithful. Wherefore I, the Lord, *willeth* that my servant John Whitmer shall go with my servant Oliver Cowdery." sec. 44.

"The Book of Mormon" was published in the year 1830, and on the 6th of April in that year the Mormonites formed themselves into a sect, under the name of "The Church of Jesus Christ of Latter Day Saints"—that is, about the time that the Unknown Tongues began to make a noise in England. The first burst of this enthusiasm was terrific; in the words of the narrative—"Devils were cast out, and the sick were healed,

by the prayer of faith and laying on of hands." An impostor named Matthews, or, as he called himself, Matthias, proclaimed himself the Supreme Being, and might have become the head of a sect, had not the death of one of his votaries, under suspicious circumstances, placed him as a criminal at the bar of justice, where his cowardice and his stupidity united to disenchant the female portion of his flock, which was both the larger and the more lucrative to the impostor. The disclosures made at the trial, of the influence of this man, were scarcely credible.

They did not, however, prevent the opinions of the new sect from spreading with almost the velocity of wildfire, not only in America but in this country. The converts to the new faith in our own manufacturing districts, and in Wales, where it has principally taken root, were not made from the lowest ranks; but mechanics and tradesmen who had saved a little money, who were generally remarkable for their moral character, and, it may be, exposed to illusion in this respect from having, as Archbishop Sharpe says, "studied the Bible with an ill-balanced mind."

In August 1831, the Mormonites, or "Latter-day saints," commenced their settlements in Missouri. In about two years their numbers had considerably increased, when the other inhabitants of the State took up arms against them, and a sanguinary civil war raged for nearly five years. In the course of this long and desperately-contested struggle, the most lawless outrages were perpetrated on both sides. At length, true bills were found for murder against the Mormonite leaders by their opponents; though, looking at the excited passions on both sides, it is hard to feel any respect for the impartiality of either jurors or judges. Many of them contrived to escape from prison into the State of Illinois. The whole of the Mormons were ultimately forcibly expelled from Missouri, and settled in the last named State, where they founded three towns, the chief of which was called Nauvoo.

The ambition of founding an empire, based on the fanaticism of his followers, has been ascribed to the Mormon Prophet. It was alleged by his enemies, that, whenever he had accumulated sufficient force, he would have endeavoured to conquer

several of the Western States; that there was rank ambition under the guise of piety; and that the organisation of a Nauvoo legion, consisting of several thousand men, of which he was constituted general, was the first step to this object. Nauvoo—the then Holy City of the Mormons, and capital of the projected empire—is situated in the north-western part of Illinois, on the east bank of the Mississippi. It is bounded on the north, south, and west by the river, which there forms a large curve, and is nearly two miles wide. Eastward of the city is a beautiful undulating prairie. It is upwards of two thousand miles from New York, and more than two hundred miles above St. Louis, the central city of the “Far West.” At present, it is in possession of M. Cabet and the French Communists, under the designation of Icarians, who have settled there in considerable numbers, and who appear to be on good terms with the surrounding inhabitants.

Before the Mormons gathered there, the place was named “Commerce,” and was a small obscure village of some twenty houses. Within three years of their first settlement, the population was upwards of seven thousand in the city, and there were three thousand more of the Saints in its immediate vicinity. The city was regularly laid out, the streets crossing each other at right angles, and generally of considerable length and convenient width. As usual in these distant regions and infant settlements, many of the houses were merely whitewashed log-cabins.

The chief edifice and glory of Nauvoo, was its Temple. This building, which was never completed, was a splendid edifice of white stone, quarried within the bounds of the city, and placed upon an elevated ground, from which it can be seen at a great distance. Its breadth is eighty feet; length, one hundred feet; besides an outer court of thirty feet; making the length of the whole structure one hundred and fifty feet. As adult baptism, by immersion, is one of the distinguishing features of the Mormon creed, preparations were made for solemnising the rite in a very imposing manner. In the basement of the Temple a baptismal font was constructed, in emulation of the brazen sea of Solomon, described as part of the magnificent Temple erected by that monarch at Jerusalem,

and which was supported by twelve oxen, handsomely carved and overlaid with gold. On the panels of the font scenes were painted, illustrative of the peculiarities of the Mormon faith. The font was used for baptisms of various kinds: baptism for admission into the church; baptism for the healing of the sick; baptism for the remission of sins; and lastly, and most singular of all, baptism for the *dead*. By this rite, persons selected as the representatives of deceased persons, were baptized for them, and thus the dead were relieved from the penalty of their sins! Among others, this kind of baptism was performed for General Washington.

The hostility experienced by the new sect followed them into their new location; and the inhabitants at that time settled in the district seem, from the commencement, to have been bitterly opposed to them. As far as we can judge, the cause of this opposition was to be found in religious differences; for though an abundance of allegations against the character and conduct of Joe Smith and some others of the leaders, were made, there is little, if any, proof of their truth. It was, apparently, a war of opinion; and in no country in the world are men more unscrupulous as to the choice and use of weapons, in such cases, than in America. The bad feeling between the Mormonites and the other inhabitants reached its climax about the middle of 1844. The antagonistic spirit had been kept alive and embittered by a journal called the "Warsaw Signal." In May 1844, a journal was also started in Nauvoo by some seceding Mormons, aided by other persons, in which a number of crimes and a most vicious life were imputed to Smith and his fellow leaders. Stung by these attacks, it was said that Smith and his adherents destroyed the press, types, &c., of the offending journal by violence, and thus stopped its appearance; while about the same time a leading Mormon, against whom the authorities had issued a warrant, was retained by Smith, and not delivered up to justice. Soon afterwards he was taken and released by the "Prophet" on a writ of *Habeas Corpus*. These events were made the pretext for a fierce and determined attack on the Mormons, which ended in the assassination of the "Prophet" and his brother Hiram, and the second expulsion of the Mormons.

The "Warsaw Signal," upon the stoppage of the "Expositor," published an article, stating that "war and extermination against the Mormons were inevitable;" calling them "infernal devils," and recommending every man to make his comment with powder and ball. Meetings were held at Warsaw and in every part of Hancock county, in which the Mormon settlements were situated, at which the most furious resolutions of war were passed. The people armed themselves, denounced what was called Smith's "attack on the liberty of the press," and also what they chose to denominate the "crimes of the Mormons," and prepared to attack Nauvoo, under the colour of enforcing the law. Volunteers, to the number of hundreds, turned out fully armed and equipped for the war, and the utmost exertions of the constituted authorities appeared as though they would have been insufficient to protect the Mormons from the attack of an illegal multitude of armed men, impelled to deeds of bloodshed by the most rancorous prejudices.

In order to avert the threatened collision and its lamentable consequences, the authorities demanded of the Mormons that they should give up their arms, and that their prophet should submit himself to the custody of the civil power, to answer any charges that his accusers might prefer against him. This the Mormonites assented to, thus showing no very great apprehension of the results of a judicial investigation. Smith and his brother Hiram were conveyed to Carthage and lodged in the gaol, Governor Ford, of Illinois, having pledged his honour for their protection from all violence. Having escorted the Mormons to prison, and everything appearing to be peaceable, only a small guard was left to protect the prisoners from being injured, or from escaping, if they had been so minded, though the improbability of their doing so under the circumstances must be obvious. The "peaceable appearance" seems, however, to have been assumed for the purpose of deceiving the governor, and inducing him to leave so small a force as guard. Having succeeded in that object, on the evening of the 25th of June, 1844, an armed mob suddenly assembled together, painted red, black and yellow, and disguised in various other ways, so as to prevent recognition or detection,

rushed past the guard, who numbered only some six or eight, into the gaol, and immediately commenced firing through the door of the room in which the prisoners were placed, and wounded the prophet. He and his brother Hiram fled to a window, and were in the act of jumping out, when Joseph Smith received three balls in his body, and fell dead upon the ground; Hiram fell inside of the prison, having received ten or twelve balls through his body. These were the only Mormons killed. One or two others were wounded.

That the Mormons were in this case brutally and unjustifiably murdered there cannot be the shadow of a doubt. Governor Ford himself, in a proclamation addressed "to the people of Illinois," in which he gives "a brief, but true statement of the recent disgraceful outrage at Carthage," distinctly shows the vindictive and bloody animus of the opponents of the Mormons. He says—"I pledged myself for their safety, and upon the assurance of that pledge, they (the Smiths) surrendered as prisoners. The Mormons surrendered the public arms in their possession, and the Nauvoo legion submitted to the command of Captain Singleton, who was deputed for that purpose by me. All these things were required to satisfy the old citizens of Hancock that the Mormons were peaceably disposed, and to allay jealousy and excitement in their minds. It appears, however, that the compliance of the Mormons with every requisition made upon them, failed of that purpose. The pledge of security to the Smiths was not given upon my individual responsibility. Before I gave it, I obtained a pledge of honour by a unanimous vote from the officers and men under my command, to sustain me in performing it. If the assassination of the Smiths were committed by any of these, they have added treachery to murder, and have done all they could to disgrace the State and sully the public honour."

That it is all but certain that the officers and men who thus pledged themselves, did add "treachery to murder," may be inferred from a statement in the succeeding paragraph of the same document, in which the governor states, that on the morning of the day the deed was committed, he had proposed to march the army to Nauvoo. "I however discovered,"

says he, "the evening before, that nothing but the utter destruction of the city would satisfy a portion of the troops, and that if we marched into the city, pretexts would not be wanting for commencing hostilities." Under these circumstances, it was resolved to disband the army, especially as the Mormons had "done everything agreed, or that could be required of them;" and the governor, with a single company, marched into Nauvoo, in the midst of the Mormons, "to address the inhabitants there, and tell them what they might expect if they designedly, or imprudently provoked a war." That he was addressing the wrong parties is sufficiently evident by his own address. He had scarcely reached three miles from Nauvoo on his return to Carthage, when he was met by a messenger, who informed him of the assassination of the Mormon chiefs.

On the following day, the bodies of "the noble martyrs" were received at Nauvoo, in a solemn procession of the whole of the inhabitants of the city and vicinity, numbering many thousands, "amidst the most solemn lamentations and wailings that ever ascended unto the ears of the Lord of Hosts, to be avenged of their enemies!" The bodies were taken into the Nauvoo hotel, a palace of large dimensions, which was in the course of erection for the murdered chief, and the assemblage of some eight or ten thousand persons, resolved to trust to the law for a remedy for such high-handed assassination, and when that failed to call upon God. The spirit in which they acted at this momentous and exciting crisis, will, however, be best appreciated by the resolutions passed at a meeting of the city council, held on the 1st of July, to consider a communication from Governor Ford:—

"Resolved, For the purpose of ensuring peace and promoting the welfare of the county of Hancock, and surrounding country, that we will rigidly sustain the laws, and the Governor of the State, so long as they and he sustain us in all our constitutional rights.

"Resolved, That to carry the foregoing resolution into complete effect, that inasmuch as the Governor has taken from us the public arms, that we solicit of him to do the same with all the rest of the public arms of the State.



“Resolved, To further secure the peace, friendship, and happiness of the people, and to allay the excitement that now exists, we will reprobate private revenge on the assassigators of General Joseph Smith, and General Hiram Smith, by any of the Latter Day Saints,—That, instead of an appeal to arms, we appeal to the majesty of the law, and will be content with whatever judgment it shall award; and should the law fail, we leave the matter with God.

“Resolved unanimously, that this City Council pledge themselves for the city of Nauvoo, that no aggression by the citizens of the said city shall be made on the citizens of the surrounding country; but we invite them, as friends and neighbours, to use the Saviour's golden rule, and ‘do unto others as they would have others do unto them,’ and we will do likewise.

“Resolved, lastly, that we highly approve of the present public pacific course of the governor to allay excitement and restore peace among the citizens of the country; and while he does so, and will use his influence to stop all vexatious proceedings in law, until confidence is restored, so that the citizens of Nauvoo can go to Carthage, or any other place, for trial, without exposing themselves to the violence of assassins, we will uphold him and the law by all honourable means.”

It requires little knowledge of human nature, and the history of the past, to inform us of the fact, that violence, oppression, and bloodshed, strengthen, instead of subduing, fanaticism, and it is probable that the delusion would have gradually declined, if the advocates of the new tenets had been left to themselves. But the tragical death of the prophet and his brother, if intended to extinguish Mormonism, was only calculated to give greatly increased strength to the sect. The murdered founder, with his errors, imperfections, and alleged vices, might have lived to undo his own work. To fall thus, in the fortieth year of his age, apparently a martyr to his faith, was, of all things in the world, calculated to make his followers cling more closely together, and to make them cast the sacred mantle of the hero and the saint over the faults of him who bore the chief part in this dark tragedy.

While the Mormons maintained a strictly peaceable demeanour towards their opponents, the effect of the prophet's death was to create a considerable division among them as to the election of his successor. At one time it was proposed to appoint Smith's son, a mere lad. Sidney Rigdon, the partner of Smith in the concoction of the scheme, who was at Pittsburgh at the time of the murder, returned to Nauvoo, with the view of claiming the vacant position of chief and prophet, on the ground of being the only survivor of the first presidency, and also of his having been nominated by Smith as his successor. It appears, however, that ultimately the Mormons resolved to dispense with a prophet, and selected twelve from the body, to become the rulers of the church collectively, under the name of the Twelve Apostles, two of them being appointed trustees of the church or public property. Under their rule it was decided, that every one who joined "the church" was to surrender one-tenth of his property, and one-tenth of his annual income was to be appropriated to the completion of the Temple and to the support of the poor. The rejection of Rigdon as the successor of Smith, led to discord and disunion among the Mormons themselves. A portion of the sect issued a manifesto on the subject, in which they declared the Church to be dissolved, on account of its rejection of the divinely-appointed leader. Rigdon and his party withdrew. He established his branch of the Church at Pittsburgh, and published a paper, in which his quondam associate, Smith, was denounced as an immoral and corrupt person. It was stated that Joe's death was ordained of the Lord, on account of his transgressions; that he did not apostatize, but that he "wrought abominations," and was therefore deemed unfit to direct "the kingdom," and share in the triumphs. The "transgression" consisted in his introducing what Smith called the "spiritual wife" system, by which each elder was allowed to have ten wives. It is alleged that, under Smith's rule, this system of "spiritual wives" was universally prevalent at Nauvoo; and if so, it forms a more tangible and definite ground for the animosity exhibited by the surrounding population, than those alleged for the violence and bloodshed of which they were guilty. Rigdon professed to take his

stand on a different ground, and called on all the faithful to come out and separate themselves from their corrupt brethren at Nauvoo, which was doomed to destruction, and fast falling into decay, on account of its iniquities.

While the sect was thus rent by internal dissensions, the enemies of Mormonism continued their relentless persecution. They banded themselves together under the title of Anti-Mormons, and carried fire and sword into the Mormon settlements in all directions. Nor did they confine themselves to these alone. They also laid waste the dwellings of all those suspected of favouring the obnoxious sect; and openly proclaimed their determination not to stop short of the expulsion of every Mormon from the State of Illinois. These outrages, in which houses were burnt down, skirmishes took place, and lives were lost, continued during the whole of 1844—5, and at length the Mormons were again compelled to leave their settlement, being literally expelled by force, and the utter want of security for either life or property.

In their second Exodus, they seem to have determined to relinquish all connexion whatever with any other community, and to become an independent and isolated people. They crossed the Rocky Mountains, and marched into the trackless deserts of the Great Basin, leaving all the settled portions of the continent behind them. The distress, privations, hardships and sufferings they underwent, in this enforced pilgrimage through a barren wilderness, were of the most extreme and appalling description. Great numbers sank exhausted on the route. At length, however, the pioneers reached the tract of country where they are now settled, between the Great Salt Lake and the Utah Lake. It is fertilised by the Utah River, which connects the two lakes, and is said to be both healthful and productive to a high degree.

On the 24th of July, 1846, the pioneers of the sect arrived in the valley of the Utah; and, finding it suitable for the objects in view, resolved upon making it the New Jerusalem of Mormonism. The capital of the new State was erected on the borders of the Salt Lake, and entitled the Great Salt Lake City. Agricultural buildings and industrial operations were commenced and carried on with energy, spirit, and disci-

pline. They were speedily followed by others of the brotherhood ; and though the increase of population has not been of the same unprecedented character as on the western side of the Sierra Nevada, yet, taking into consideration all the circumstances connected with the case, it is even more extraordinary. Whether the manner of Smith's death had the effect of causing the people to forget his vagabond life and immoral character, or not, we are unable to say ; but from the time of that event, Mormonism spread still more rapidly, both in the United States and in this country. The sect has thus been steadily growing in numbers, and in that respect and consideration which numbers, under the American Constitution, cannot fail to ensure. They have been repeatedly courted by the great political parties in their struggles for power ; and at the present moment, in a religious point of view, Mormonism is a more acceptable doctrine than it ever was before. The sect is mainly recruited by emigrants, of whom, it is stated, by far the larger proportion are from this country. Proselytism in the States proceeds but slowly in comparison ; and although the settlements of the new religionists have always been on the outskirts of civilization, they have never made any converts among the aborigines. Steady-going yeomen from Cumberland, Yorkshire, and Wales ; sober, thrifty, hard-working men, in all our great manufacturing districts, have pinned their spiritual and pecuniary trusts, with the utmost implicitness, upon a man whom the unlettered Indians denominated *Tshe-wal-is-ke* ; which, in an English version, means "a great rascal." So strong, however, are the combined attractions of novelty, distance, solitude, false prophecies, and gold, that the Mormon capital has already a population of seven or eight thousand persons. The "City of the Great Salt Lake" is laid out in wards, the houses being about one hundred yards apart. Each ward is enclosed with a straight fence, and is in profuse cultivation, which gives the whole place an exceedingly rural and pleasant appearance. The wards are all irrigated by bringing water from the mountains in small channels running in every direction. Corn grows well, wheat yielding from twenty to sixty bushels per acre. Barley and oats are also cultivated, and yield abundantly. The

grasses are various and luxurious: blue grass grows of the best quality, and in abundance; also wild flax. Every variety of vegetable flourishes prosperously. The flesh of the cattle maintains the high character of California for sweetness and richness. Water is pure and abundant: any quantity of it can be drunk without injury, which cannot be said of any other liquid. There are several sulphur springs of water near the city, and a warm white one, used for bathing. The water running from it would turn a mill, and is very warm, giving from its surface a continual cloud of vapour. Its medical virtues are said to be very great, and appear to be turned to use in curing all the various diseases known in the "Valley."

Four years ago the district had not a single settled inhabitant—it is now so populous that a resolution has been taken to form it into a sovereign State, to be taken and accepted as an integral part of the American Union. In carrying out this determination, the Mormons displayed the same political aptitude as we have already noticed on the part of the hastily-congregated and motley population on the other side of the Sierra Nevada. In February, 1849, notice was given to all the citizens of that portion of Upper California lying east of these mountains, that a Convention would be held at the Great Salt Lake City, on the 5th of March, for the purpose of taking into consideration the propriety of organising a territorial or State government. The result of their deliberation was the formation of "the Constitution of the new State of Deseret," as the Mormons have resolved to call it—a designation which in their phraseology means "honey-bee," and is meant to typify the combined virtues of industry and love.

In its general outlines the constitution of Deseret very much resembles that of the State of California, of which we have given a full abstract.

The first step was, to define exactly the extent and boundaries of the free and independent government to be established and ordained. According to the resolution of the Convention, it is thus defined:—"Beginning at the 33rd degree north latitude, where it crosses the 108th degree longitude west of Greenwich; thence running south and west to the northern boundary of Mexico; thence west to and down the

main channel of the Gila river, on the northern line of Mexico, and on the northern boundary of Lower California to the Pacific Ocean; thence along the coast north-westerly to the 118th degree 30 min. of west longitude; thence north to where said line intersects the dividing ridge of the Sierra Nevada Mountains; thence north along the summit of the Sierra Nevada mountains to the dividing range of mountains that separate the waters flowing into the Columbia river from the waters running into the Great Basin; thence easterly along the dividing range of mountains that separate said waters flowing into the Columbia river on the north from the waters flowing into the Great Basin on the south, to the summit of the Wind river chain of these mountains; thence south-east and south by the dividing range of mountains that separate the waters flowing into the Gulf of Mexico from the waters flowing into the Gulf of California, to the place of beginning, as set forth in a map drawn by Charles Preuss, and published by order of the Senate of the United States in 1848."

It will thus be seen that the new State occupies the southeasternmost portion of the territory ceded to the United States by Mexico; that it embraces a very large tract of country, and stretches westerly to the Pacific for a small sea-board between St. Diego and St. Fernando.

The new government was then endowed with tripartite powers—legislative, executive, and judicial; comprising a senate of seventeen and a house of thirty-five members, with a speaker, clerk, and sergeant-at-arms, and a governor, lieutenant governor, secretary of state, and treasurer. The powers, duties, responsibilities, and mode of election of these various authorities, are nearly similar to those of the Western Pacific State. The period of office is the same.

It might have been expected, composed as the Convention was of Mormons alone, that something of the peculiarities of their creed, or of the exclusiveness which usually accompanies fanatical sectarianism, would have been inwoven into the constitution. No such features are observable in the document. On the contrary, the "Declaration of Rights" is as liberal, unfettered, and uncompromising, in its enunciation of all civil,

social, political, and religious rights, as it is possible to conceive, and is almost identical with that of California. As, however, our readers may wish to see the spirit of these parties, as expressed by themselves, we subjoin this part of the constitution in full :—

ARTICLE VIII.—*Declaration of Rights.*

“SECTION 1. In republican governments, all men should be born equally free and independent, and possess certain natural, essential, and inalienable rights : among which are those of enjoying and defending their life and liberty ; acquiring, possessing, and protecting property ; and of seeking and obtaining their safety and happiness.

“2. All political power is inherent in the people ; and all free governments are founded on their authority, and instituted for their benefit ; therefore, they have an inalienable and indefeasible right to institute government, and to alter, reform, and totally change the same, when their safety, happiness, and the public good shall require it.

“3. All men shall have a natural and inalienable right to worship God according to the dictates of their own consciences ; and the General Assembly shall make no law respecting an establishment of religion, or of prohibiting the free exercise thereof, or disturb any person in his religious worship or sentiments ; provided he does not disturb the public peace, nor obstruct others in their religious worship ; and all persons demeaning themselves peaceably as good members of the State, shall be equally under the protection of the laws ; and no subordination or preference of any one sect or denomination to another shall ever be established by law ; nor shall any religious test be ever required for any office of trust under this State.

“4. Any citizen of this State who may hereafter be engaged, either directly or indirectly in a duel, either as principal or accessory before the fact, shall be disqualified from holding any office under the constitution and laws of this State.

“5. Every person may speak, write, and publish his sentiments, on all subjects, being responsible for the abuse of that right ; and no law shall be passed to abridge the liberty of speech or of the press.

" 6. The people shall be secure in their persons, houses, papers, and possessions, from unreasonable searches and seizures.

7. The right of trial by jury shall remain inviolate; and all criminals shall be heard by self, or counsel, at their own election.

" 8. All penalties and punishments shall be in proportion to the offence; and all offences, before conviction, shall be bailable; except capital offences, where the proof is evident, or the presumption great.

" 9. The writ of *habeas corpus* shall not be suspended, unless in case of rebellion or invasion, or the public safety shall require it.

" 10. Treason against this State shall consist only in levying war against it, or adhering to its enemies, or giving them aid and comfort.

" 11. The General Assembly shall pass no bill of attainder or *ex post facto* laws, or law impairing the obligation of contracts, to hinder the execution of justice.

" 12. The laws shall not be suspended, but by the legislative or executive authority.

" 13. The right of petition, by the people, shall be preserved inviolate.

" 14. The right of citizens to keep and bear arms for common defence, shall not be questioned.

" 15. Private property shall not be taken for public use, without just compensation.

" 16. No standing army shall be kept up in time of peace, and the military shall, at all times and in all places, be in strict subordination to the civil power.

" 17. The enumeration of certain rights shall not be construed to impair nor deny others retained by the people."

The constitution was adopted on the 10th of March, 1849. The first General Assembly met on the 2d of July. Millard Snow was elected Speaker of the House. After the organization, the Chairman announced to the House that a majority of all the votes of the people had been given for the adoption of the constitution; and that Brigham Young had received a majority of all the votes for Governor; Heber C.



Kimball, for Lieutenant-Governor; Wm. Richards, for Secretary of State; Jos. S. Heywood, for Treasurer. This body adopted the next day a memorial to the Congress of the United States, in which they set forth the grounds on which they seek admission into the Union as a territorial or sovereign State government, together with the reason and design of their organization of a civil government. As the document gives a graphic idea of the actual state of affairs, besides some incidental information as to the nature of the country in which the Mormons are settled, and of the state of society among them, we give it *in extenso*.

“Whereas, The history of all ages proves that civil governments, combining in their administration the protection of person, property, character, and religion—encouraging the science of agriculture, manufactures, and literature, are productive of the highest, happiest, and purest state of society; and,

“Whereas, All political power is inherent in the people, and governments, to be permanent and satisfactory, should emanate from the same; and,

“Whereas, The inhabitants of all newly settled countries and territories, who have become acquainted with their climate, cultivated their soil, tested their mineral productions, and investigated their commercial advantages, are the best judges of the kinds of government and laws necessary for their growth and prosperity; and,

“Whereas, Congress have failed to provide, by law, a form of civil government for this or any other portion of territory ceded to the United States by the Republic of Mexico, in the late treaty of peace; and,

“Whereas, Since the expiration of the Mexican civil authority, however weak and imbecile, anarchy to an alarming extent has prevailed—the revolver and bowie knife have been the highest law of the land—the strong have prevailed against the weak—while person, property, character, and religion have been unaided, and virtue unprotected; and

“Whereas, From the discovery of the valuable gold mines west of the Sierra Nevada mountains, many thousands of

able-bodied men are emigrating to that section, armed with all the implements and munitions of war ; and,

“ Whereas, Strong fears have been, and still are entertained, from the failure of Congress to provide legal civil authorities, that political aspirants may subject the Government of the United States to the sacrifice of much blood and treasure in extending jurisdiction over that valuable country ; and,

“ Whereas, The inhabitants of the State of Deseret, in view of their own security, and for the preservation of the Constitutional right of the United States to hold jurisdiction there, have organized a Provisional State Government under which the civil policy of the nation is duly maintained ; and,

“ Whereas, There are so many natural barriers to prevent communication with any other State or Territory belonging to the United States, during a great portion of the year, such as snow-capped mountains, sandy deserts, sedge plains, salt-rusts, lakes, and swamps, over which it is very difficult to effect a passage ; and,

“ Whereas, It is important, in meting out the boundaries of the States and Territories, so to establish them, that the heads of Departments may be able to communicate with all branches of their Government with the least possible delay ; and,

“ Whereas, There are comparatively no navigable rivers, lakes, or other natural channels of commerce ; and whereas, no valuable mines of gold, silver, iron, copper or lead, have as yet been discovered within the boundaries of this State, commerce must necessarily be limited to few branches of trade and manufactures ; and whereas, the laws of all States and Territories should be adapted to their geographical location, protecting and regulating those branches of trade only which the country is capable of sustaining ; thereby relieving the Government from the expense of those complicated and voluminous statutes, which a more commercial State requires ; and whereas, there is now a sufficient number of individuals residing within the State of Deseret to support a State Government, thereby relieving the General Government from the expense of a Territorial Government in that section ;

and in evidence of which the inhabitants have already erected a Legislative Hall, equal to most, and surpassed by few, in the older States.

“Your memorialists, therefore, ask your honourable body to favourably consider their interests; and, if consistent with the constitution and usages of the Federal Government, that the constitution accompanying this memorial be ratified, and that the State of Deseret be admitted into the Union on an equal footing with other States, or such other form of government as your wisdom and magnanimity may award to the people of Deseret. And, upon the adoption of any form of government here, that their delegate be received, and their interests properly and faithfully represented, in the Congress of the United States.”

Of course, at this time, it is impossible to give any opinion as to the reception which this application will meet with from the Congress. But one thing must strike the most casual observer, namely—the extraordinary character of the American Federation itself, comprising, as it does, states which exhibit the widest differences in all respects. The present is a strong instance of this peculiarity. Supposing that “Deseret” should be admitted into the political fraternity of the Union, then the capital of the new State will be separated from the seat of Federal Government by a distance of 2,500 miles, being nearly twice the distance between Seringapatam and Delhi, and five-sixths of the distance between London and New York. Although, on the face of the constitution, no sectarian peculiarities are observable, it is, we presume, well understood that the practical ruling power of the new State is virtually based upon Mormonism, and that its internal economy will be characterized by the peculiarities of this creed. The Americans are not particular to a shade or two of doctrine, and whether such facts will operate as a bar to the political status claimed by the Mormons, is doubtful. Generally speaking, the tendency of religious feeling in the Union, is to subordinate doctrine to practical developments of Christianity. But, considering the evident character of the imposture on which the new sect is founded, it may be matter of grave consideration for the other States, how far they will legitimatise it, as

it were, by formally admitting the Mormon State into the Union.

Apart from the origin of the sect, there does not now appear to be much that is objectionable in a political and social aspect. All who have visited their settlement speak highly of the industry, order, and prosperity which characterize them; nor do we now hear of the extreme doctrines, or immoral practices, which were alleged against them while under the leadership of their prophet and founder "Joe Smith;" though the fanaticism by which they are animated seems to be as excessive as ever. Take the following as a specimen, extracted from the "Frontier Guardian" of September 19th, 1849:—

"GOOD NEWS FROM ENGLAND.—The work of the Lord is progressing very rapidly in England and Wales. Since Captain Jones left Wales, there have been over eight hundred baptized into the Church of Jesus Christ, and the sick healed by the power of faith, and many believing. By the 'Millennial Star,' we learn that the cholera is cured, the dumb made to speak, the deaf made to hear, the blind made to see, devils cast out, fevers rebuked, leprosy cured, and many of them after they had been attended by physicians who could not effect a cure, and even then cured almost instantly, by the laying on of hands and the power of faith."

The superstition or credulity by which practical vitality and increasing power is imparted to such a transparent imposture is one of the most singular facts of the present century. Turning, however, from this to the social and industrial view of the question, the movement assumes a more gratifying character. The account given of the celebration, on the 24th of July, 1849, of the anniversary of the arrival of the Pioneers of the Valley, is exceedingly interesting, as being indicative of the rapid progress of the city and adjacent settlements. The inhabitants were awoke by the firing of cannon and the sound of martial music; the brass band and martial music were carried round the city in two carriages, playing alternately, and returned to the Bower by seven o'clock. The Bower is a building one hundred feet long by sixty wide, built on one hundred and four posts covered with boards; but for the services of the day, a canopy or awning

was extended about one hundred feet from each side of the bower to accommodate the vast multitude at dinner.

At half past seven, the large national flag, measuring sixty-five feet long, was unfurled at the head of the liberty-pole, which is one hundred and four feet high, and was saluted with six guns, the ringing of the Nauvoo bell, and martial music. At eight the multitude were summoned by a salute of six guns to form into a procession, the account of which, interspersed as it is with "bands," "banners," "patriarchs," "bishops," "young ladies dressed in white," "silver greys," &c., gives a lively idea of the bustle and rejoicing upon the occasion. The ceremonies of the day consisted of religious services and speeches, inclusive of "twenty-four toasts, given by twenty-four bishops!" Among these twenty-four toasts were, "The Kingdom of Liberty—Free Soil, Free Elements, Free Knowledge, Free Religion, and Free Men," *ad infinitum*. "The Wheat of the Valley—Worth more than the gold dust." "California"—"Happy the man that hath his garner full." A volunteer toast was:—"The Ladies of the Lake; the Lillies of the valley—"Our mothers, wives, and children; may their posterity, from generation to generation, be found to emulate their noble examples of virtue, patience, industry, and patriotism."

Mr. Babbit, the delegate to Congress from the State, on his way to Washington, gave the following account of the objects of the Mormons, and of this anniversary, to the disciples of the new faith in an American town, who are preparing to set out for Deseret:—"We want to build up the Kingdom of God—that object has carried our brethren to the Valley. I was present on the 24th of July, when they held the Anniversary of the entering of the Pioneers into the Valley. It was like the landing of the Pilgrims on Plymouth Rock; they arrived there destitute, and when they had raised bread enough to satisfy the demands of nature, they rejoiced, and I rejoiced with them; they rejoiced and shouted "Hosanna:" and my soul rejoiced exceedingly. I rejoiced in the view of the future. The Lord has opened unto us the windows of Heaven, and bestowed bountifully the fruits of the earth. Two tables were spread one mile and a half in length, and seven thousand persons sat down to the feast. The Liberty Pole was raised

one hundred and sixty-five feet in the air, and the banner floated sixty-three feet. I report, then, a place where the honest can live in the enjoyment of truth."

Some of the leaders write from the Valley to the Mormon church in Pottawattamie, as follows:—"We can truly say that the Saints live up to the old Mormon motto, and "Mind their own business," by which the valley of the Great Salt Lake is bursting into a city of habitations, where, if humility and love continue to increase, with industry and economy, plenty and union will crown the efforts of all that the Lord designs to bless. Law-suits and mobs are far from this valley of peace, and may they ever remain so. The brethren in Pottawattamie Co., Iowa, Missouri, Nauvoo, and vicinities, must remember, pause, and reflect, that we came to this valley when there was no house nor fence, and no corn nor wheat save what we brought with us, and that our every nerve and all our energies will be exerted to sustain ourselves, to build houses, fences, and raise grain, which, from all appearances, must command as high a price as from five to ten dollars per bushel for wheat, and from two to six dollars for corn and other things in proportion. When these small matters of journeying more than 1000 miles over the sage plains, and settling, and preparing to live and sustain ourselves with the common necessities of life, are overcome, then the poor shall feel our helping hand to assist them to remove to this valley."

We cannot better conclude this narrative than by quoting the impressions made on the mind of an American traveller by what he saw around him, and by requesting the reader at the same time to remember the recent origin of the sect, the severe persecutions they have endured, and the short space of time that has elapsed since they settled in the Valley of the Salt Lake:—"I can scarcely realize that I am a thousand miles from home! The cultivation of an old settled country—the bustle and activity of a city—the necessities and even the refinements of civilised life—together with the habits and manners of an educated race of people, are all around me! I am in the midst of a desert, and yet I see a large city, teeming with life and enterprise—with an exhaustless soil to sustain it—destined to become the metropolis of a mighty empire! I am

away from home, and yet home influences are around and about me; and, in imagination, I forget the distance that intervenes between us! The Mormons are a great people, and whatever may be thought of the peculiarities of their religious creed, the rapidity with which they increase, the *oneness* of their councils—their *discipline*—all foreshadow their ultimate destiny.”

Well might Byron say—

“Truth is strange, stranger than fiction.”

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## CHAPTER XIV.

*Hints to intending Emigrants.—Hazardous and precarious nature of Gold Digging.—Agriculture the basis of real Prosperity.—California as an Agricultural Country.—Fertility of the Soil.—Corn, Wine, Grasses, Vegetable Productions, Wild Animals, Climate.—Regular mining and settling down of the Population to agricultural, industrial, and commercial occupations.—Rich Mines of Quicksilver.—Value in connexion with the abundance of gold.—Who should go to California.—Letters from Emigrants.—Life and Prospects of actual Settlers.—Route and cost by way of New York.—Conclusion.*

The ample statements collected from various authorities and sources as to the nature of the soil and climate given in preceding chapters, and the narratives of hardships and losses related by those who have themselves engaged in the uncertain and precarious occupation of gold digging, have afforded our readers the best opportunity of forming a judgment for themselves, how far emigration to California is desirable or expedient. Before, however, entering upon an account of the British colonies to which the stream now most strongly sets, and which are calling for labour, it may be useful to make a few observations on this important and practical question.

No one can peruse the tales of danger, discomfort, exposure

to the elements, and consequent disease, conjoined with labour of the hardest kind, to which the gold digger is subject, without coming to the conclusion, that it is an occupation which none but those who have been accustomed to hard work, and to "rough it," should embark in; even such persons will find the task a sufficiently arduous one, and from its very nature always hazardous, and frequently unremunerative. It is impossible to peruse the lists of deaths in the Californian papers, without meeting with many brief but significant illustrations of the misery, and often despair, consequent upon the life of a gold hunter, and upon the disappointments of the hopes of persons who flocked to the region, totally unfit to cope with the actual state of things they found on their arrival. In this land of almost fabulous wealth, hundreds and thousands were so unfavoured by fortune, as to realize those pictures of wretchedness and despair that turn the heart sick in the precincts of the crowded cities of the old world. The hand of the suicide often terminated an existence which had hoped to find long denied success in the multiplied chances of this new field of speculation. Hundreds met with the characteristic fate of the miser; literally realized the ancient classic fable of Midas—gaunt starvation having overtaken them in the midst of piles of gold. They died surrounded by what the world considers of all things the most desirable, their bones being afterwards found rotting in the mountain ravines of a wild and desolate region, thousands of leagues distant from the home and country they had probably only learned to prize when the "precious" metal they had succeeded in collecting, had become impotent to prolong their lives even for one short hour.

Abundant though the gold of California undoubtedly is, it is not upon that that its future prospects and the fortunes of its inhabitants depend; that it will form an important element of that prosperity is certain, for where the precious metals are plentiful the circulation of money may be expected to be large, and consequently trade and enterprise to become fully developed. The discovery of the gold has attracted an immense population to the country in a wonderfully short period, who will speedily find out that there are better and surer kinds of



wealth than gold, and that the "precious metal" is only valuable as an instrument for developing the numerous and varied agricultural, pastoral, manufacturing and commercial facilities of the territory in which they are settled.

Agriculture must in every community be the basis and mainstay of its welfare. It is, therefore, of primary importance that the natural capabilities of the new State in this respect, should be carefully ascertained by those who contemplate settling in it. The full account we have given, on the authority of Colonel Fremont and others, of the geography, topography, climate and natural productions of the region, will enable our readers to form a general opinion on these subjects. But there ought to be considerable allowances and deductions made from these statements, as to climate especially. Some portions of the region must be to a great extent unsuited to those who have been reared in more temperate zones. San Francisco is exposed to summer heats, hurricanes, and clouds of sand, which make it anything but pleasant or healthy, and in winter the lower portions are subject to be overflowed by the heavy rains. In fact, it would seem that periodical inundations may be expected in every one of the towns yet founded by the Americans, with the single exception of Benicia. Sacramento city has already in its infancy suffered heavy loss from this cause. Stockton appears to be even more unfavourably situated. Its site is described to be a low flat plain, in the immediate neighbourhood of a swamp, which during a great portion of the year is covered with deep water. Fever and ague, the prevalent maladies in the upper country, rage in the summer with great severity, and attack the most robust constitutions, whilst in winter the winds sweep with unbroken fury through the district, and add to its other discomforts a great scarcity of fuel and fodder. This is the description of a writer who visited it at the commencement of last year, when it only consisted of a few tents, bulrush huts, and one or two wooden houses. Since then it has largely increased, and though, for it, for Sacramento, San Francisco, and other towns, artificial drainage, sewerage, paving, lighting, &c., may do much, yet, the sites having been selected altogether with a view to their

commercial and trading capabilities, residence in them, however profitable, will not, we imagine, be conducive to health or long life.

The agricultural settler has, however, a much better prospect. Many of the coast valleys, as well as those in the upper country, possess a fine healthy climate; and although the aspect of the country generally, after the summer droughts, is brown, parched and burnt up, yet its productive capabilities are very great, and the abundant supply of water, during the winter or rainy season, affords every facility for irrigation during the dry season, and, apparently, that is all that is needed to ensure the most abundant crops. Indeed, there can be no doubt as to the immense capabilities of California, as an agricultural and grazing country. The success which attended the colonization at the Missions, under the friars; the overflowing abundance of corn and cattle, wine and oil, produced by the moderate and comparatively unskilled, but well-disciplined labour of the aboriginal tribes, are incontestible evidence that, to the skilled and energetic agriculturist, this region opens a most inviting field for enterprise. This opinion is borne out by the travellers who have recently visited the country, and paid attention to this part of the subject, as well as by the experience of those who have farmed upon a large scale. As facts, in such cases, are more valuable than mere general statements, we give the experience of Captain Fisher, an American gentleman, who has for several years farmed one of the finest ranchos in the valley of San José. Mr. Taylor visited him in September last, during his travels, and thus states the result of his inquiries under this head:—

“I was glad to find, from the account he gave me of his own experience as a farmer, that my first impressions of the character of California as an agricultural country, were fully justified. The barren, burnt appearance of the plains at this season of the year, has misled many persons as to the value of the country, in this respect. From all quarters one may hear complaints of the torrid heat and arid soil under which large rivers dry up, and vegetation almost entirely disappears. The possibility of raising good crops of any kind is vehemently denied, and the bold assertion made that the greater part of

California is worthless, except for grazing purposes. Captain Fisher informed me, however, that there is no such wheat country in the world. Even with the imperfect ploughing of the natives, which does little more than scratch up the surface of the ground, it produces a hundred-fold. Not only this, but, without further cultivation, a large crop springs up on the soil the second, and sometimes even the third year. Captain Fisher knew of a ranchero who sowed twenty-five fanegas of wheat, from which he harvested 1020 fanegas. The second year he gathered from the same ground 800 fanegas, and the third year 600. The unvarying dryness of the climate, after the rains have ceased, preserves grain of all kinds from rot, and, perhaps from the same circumstance, the Hessian fly is unknown. The mountain-sides, to a considerable extent, are capable of yielding fine crops of wheat, barley and rye, and the very summits and ravines, on which the wild oats grow so abundantly, will, of course, give a richer return, when they have been traversed by the plough.

“Corn grows upon the plains, but thrives best in the neighbourhood of streams. It requires no irrigation, and is not planted until after the last rain has fallen. The object of this, however, is to avoid the growth of weeds, which, were it planted earlier, would soon choke it, in the absence of a proper system of farming. The use of the common cultivator would remove this difficulty, and by planting in March instead of May, an abundant crop would be certain. I saw several hundred acres which Captain Fisher has on this rancho. The ears are large and well filled, and the stalks, though no rain had fallen for four months, were as green and fresh as in our fields at home. Ground which has been ploughed and planted, though it shows a dry crust on the top, retains its moisture to within six inches of the surface; while close beside it, and on the same level, the uncultured earth is seamed with heat, and vegetation is burned up. The valley of San José is sixty miles in length, and contains at least five hundred square miles of level plain, nearly the whole of which is capable of cultivation. In regard to climate and situation, it is one of the most favoured parts of California, though the Valleys of

Sonoma, Napa, Bodega, and nearly the whole of the Sacramento country, are said to be equally fertile.

"Vegetables thrive luxuriantly, and many species—such as melons, pumpkins, squashes, beans, potatoes, &c.—require no further care than the planting. Cabbages, onions, and all others which are transplanted in the spring, are obliged to be irrigated. Grape-vines, in some situations, require to be occasionally watered; when planted on moist slopes, they produce without it. A Frenchman, named Vigne, made one hundred barrels of wine last year, from a vineyard of about six acres, which he cultivates at the Mission San José. Captain Fisher has a thousand vines in his garden, which are now leaning on the earth from the weight of their fruit. Many of the clusters will weigh four and five pounds and in bloom, richness, and flavour, rival the choicest growth of Tuscany, or the Rhine. The wine is said, by those who have tasted it, to resemble Hock. It is in great demand. The vine will hereafter be an important product of California, and even Burgundy and Tokay may be superseded on the tables of the luxurious by the vintages of San José and Los Angeles."

Mr. Bryant gives an equally favourable account of the agricultural capabilities of the country, in his work entitled—"What I saw in California." He says:—

"The soil of that portion of California between the Sierra Nevada and the Pacific will compare, in point of fertility, with any that I have seen elsewhere. Wheat, barley, and other small grains, with hemp, flax, and tobacco, can be produced in all the valleys, without irrigation. To produce maize, potatoes, and other garden vegetables, irrigation is necessary. Oats and mustard grow spontaneously, with such rankness as to be considered nuisances upon the soil. I have forced my way through thousands of acres of these, higher than my head when mounted on a horse. The oats grow to the summits of the hills, but they are not here so tall and rank as in the valleys.

"The varieties of grasses are greater than on the Atlantic side of the continent, and far more nutritious. I have seen seven different kinds of clover, several of them in a dry state, depositing a seed upon the ground so abundant as to cover it,

which is lapped up by the cattle and horses and other animals, as corn or oats, when threshed, would be with us. All the grasses, and they cover the entire country, are heavily seeded, and when ripe, are as fattening to stock as the grains with which we feed our beef, horses, and hogs. Hence, it is unnecessary to the sustenance or fattening of stock, to raise corn for their consumption.

"Nearly all the fruits of the tropical and temperate climates are produced in perfection in California. The cattle are large and fine, and the beef is excellent. The wild animals of California are the wild-horse, the elk, the black-tailed deer, antelope, and grizzly bear, all in large numbers. Added to these are the beaver, otter, coyote, hare, squirrel, and the usual variety of other small animals. There is not so great a variety of small birds as in some other countries. But what is wanting in variety is made up in numbers. The bays and indentations on the coast, as well as the rivers and interior lakes, swarm with myriads of wild geese, ducks, swans, and other water birds. The geese and ducks are a mongrel race, their plumage being variegated, the same as our barn-yard fowls. Some of the islands in the harbour, near San Francisco, are white with the *guano* deposited by these birds; and boat-loads of eggs are taken from them. The pheasant and partridge are abundant in the mountains.

"The botany and flora of California are rich, and will hereafter form a fruitful field of discovery to the naturalist. There are numerous plants reported to possess extraordinary medical virtues. The "soap-plant" (*amole*) is one which appears to be among the most serviceable. The root, which is the saponaceous portion of the plant, resembles the onion."

On the subject of climate, the same writer gives the following as the result of his own experience:—"It is rarely so cold in the settled portions of California as to congeal water. But twice only, while here, I saw ice; and then not thicker than window-glass. I saw no snow resting upon the ground. The annual rains commence in November, and continue, with intervals of pleasant, spring-like weather, until May. From May to November, usually, no rain falls. There are, however, exceptions. Rain sometimes falls in August. The thermo-

meter, at any season of the year, rarely sinks below 50° or rises above 80°. In certain positions on the coast, and especially at San Francisco, the winds rise daily, and blowing fresh upon the shore, render the temperature cool in midsummer. In the winter the wind blows from the land, and the temperature at these points is warmer. These local peculiarities of climate are not descriptive of the general climate of the interior.

"For salubrity I do not think there is any climate in the world superior to that of the coast of California. I was in the country nearly a year, exposed much of the time to great hardships and privations, sleeping, for the most part, in the open air, and I never felt while there the least touch of disease, or the slightest indication of bad health. On some portions of the Sacramento and San Joaquin Rivers, where vegetation is rank, and decays in the autumn, the malaria produces chills and fever; but, generally, the attacks are slight, and yield easily to medicine. The atmosphere is so pure and preservative along the coast, that I never saw putrified flesh, although I have seen, in midsummer, dead carcasses lying exposed to the sun and weather for months. They emitted no offensive smell. There is but little disease in the country, arising from the climate."

When the mass of emigrants who have been attracted to the country, find that gold-digging is such a game of chance, and accompanied in all cases by such severe privations, they will naturally betake themselves to more settled and permanent occupations. It is fortunate for the large population already congregated in the territory, that its productive resources are so great and so varied, and capable both of supplying all the staple articles of consumption at home, as well as producing wines and other articles which will command an export trade.

With the progress of the country, the increasing density of the population, and the gradual consolidation of the Executive power, the system of irregular and unlicensed squatting, which has hitherto prevailed in the gold country, may be expected to be put an end to. The mineral treasures which so abundantly exist, both in the sands of the mountain streams and in the quartz rocks of their ravines, will be extracted by more scientific and regular methods, by persons possessing

knowledge, capital, and machinery. In various places, the rocks have been found to be more richly charged with gold than has hitherto been known in any part of the globe. Mining is likely, therefore, to continue one of the staple occupations of the people. Fortunately, the means for separating the ore from the rock, have been found to exist also, in great abundance, in the new State. Quicksilver is found in but few known places in the globe, in such quantities as to be worth mining; while its necessary use, in separating the precious metals from the matrix, makes it an essential ingredient in mining operations. If a supply of this article had been scanty, and brought from a great distance, at high prices, it would have formed a serious obstacle to the development of the mineral wealth of the country; but in several places rich mines of quicksilver have been discovered, the value of which, in a mercantile point of view, is scarcely less than that of the precious metals. Besides supplying the native miners with all that they may require for their own operations, it may become a highly profitable article of export. The Secretary of the Interior says:—"The deposit of quicksilver known to exist in California, is a sulphuret of mercury, or native cinnabar. The stratum of mineral, several feet in thickness, has been traced for a considerable distance along its line of strike. The specimens assayed at the Mint, range from 15.5 to 33.35 per cent. of metal; it is easy of access, and is mined and reduced without difficulty."

While we by no means recommend gold-seeking as an occupation to persons not inured to hard labour and possessed of a strong constitution, it is but just to say, that the latest accounts received in this country, and which reach to the 1st of March in the present year, not only confirm all the general anticipations hitherto entertained, but tend very considerably to raise them. Notwithstanding a more severe winter than had been known for fifteen years, the miners had actively extended their explorations, and the result appears to be, that new and productive deposits have been found in all quarters. At a spot called the Georgetown diggings, twelve miles from Sutter's Mill, a yield had been obtained by many individuals at the rate of one pound per day; and two or three ounces is commonly spoken of as the produce, not only at this place

but at many other of the new districts. The chief thing entitling the respective statements to confidence, is their general uniformity, and the fact that, although in California, as elsewhere, there must be found amongst the number of immigrants a quantity of people who are wholly unfit to work their way anywhere, the complaints of want of success are extremely few. It seems also that many of the miners have written for their families to join them, and that large remittances have been received in New York solely for that object. During the winter the health of the people, it is said, has been excellent, and there have been abundant supplies of food. Many large lumps of gold have been found. In some of the new spots the grains are remarkably fine, although very abundant, and quicksilver is used with great advantage, from which latter cause, coupled with the results of greater aptitude in the work, and the increase of arrivals, it is currently believed that at least five times the amount of gold will be produced this year as compared with the last. On the Tuolumne river, a party of one hundred men were digging a canal half a mile long, for the purpose of turning the stream, when, from the experience of soundings already made, a certain supply of three or four ounces a day to each worker was relied upon. Dams, also, were being constructed in many parts elsewhere; and there appears in few cases to be little anxiety about secrecy, since the persuasion is evidently universal that there is no fear of the country becoming exhausted during the next fifty years. In proof that the trade at the mines was flourishing, San Francisco and Sacramento city were showing every day increased activity. Some bituminous springs had been found near the coast, and the discovery of coal deposits was rumoured.

It will be seen, therefore, that the country possesses great natural capabilities—agricultural, mining and commercial; and that the political institutions established in it, are in the highest degree favourable to freedom of individual action, and to the maintenance of such laws and institutions as are in consonance with the wants, the feelings, and the interests of the whole people.

We come to the general conclusion, then, that the only proper emigrants to California, are steady, indus-



trious workmen in all the useful trades ; persons with small capitals, accustomed to business ; and those willing to work, who do not object to the payment of a considerable sum for passage-money and outfit, and to encounter a six months' voyage, for the sake of being placed in a position where industry and skill are certain to command a market, and a remunerative return. Gold-digging may be left to the adventurous and the hardy. The steady tradesman will, in the end, prove the true gold-finder. As, however, example is better than precept, and by way of practically illustrating our meaning, we subjoin extracts from two letters—one from an American, the other from an English sailor, to his father in Camberwell. The American is evidently a keen specimen of the Yankee, and his way of going to work is full of instruction to any one who may contemplate emigrating to the El Dorado, besides giving a very good idea of life and prospects in California.

“Now about my own experience in California: I arrived here in June, and went immediately to the mines. I worked there five weeks, and cleared, over all my expenses, six hundred dollars. Then, partly through the expected arrival of my goods, and partly through fear that my “hole,” or lead would give out, I sold out my “hole,” machine and all, for two ounces of *dust* more than I gave for it, and started for San Francisco. But learning at Sacramento City that the Robert Bowne had not arrived, I set my wits to work to ascertain how I could spend the intervening time most profitably.

“My first operation was buying a lot, 20 by 160 feet, for which I paid six hundred dollars, and sold it soon after for fifteen hundred dollars. Soon after I made the acquaintance of Mr. T. C. O. of New York, who was in the same predicament as myself, not knowing what to do next, as business was then quite dull in the city (Sacramento). I suggested to him that I thought ‘haying’ appeared the most reasonable for a lucrative occupation, as teams were pouring in from the plains, and feed scarce. He agreed with me, and we forthwith set about making preparations for ‘haying.’ Then commenced a search for scythes. All we could find were two old ones, nearly worn out, and without handles. These we bought at sixteen dol-

lars each, and soon after came across a company, just arrived, who had one dozen new ones, scythes and handles, yet did not know for what purpose they brought them. We bought one for forty dollars, and could have sold it in thirty minutes for seventy-five dollars. We cut two crooked sticks for the old ones, hired a man for ten dollars a day, and started out to a prairie about six miles from the city, where were about one hundred acres of beautiful grass.

"We there worked about ten days in the hottest sun that ever shone. From eleven to three we could not work, and even after that it would blister the back of our hands. In that time we cut and cocked about sixty tons of hay. The next job was to get it to the city. O. and myself invested 450 dollars each, in oxen and waggons, made our hay riggings, and commenced carting. We drew in, stacked, and fenced about twenty tons, and went for more, when a streak of bad luck came over us. One team had loaded and started, and the other two were loaded, when the prairie being on fire, and the wind blowing hard, our loads took fire, and in fifteen minutes hay and waggons were in ashes, and one yoke of cattle so badly burnt as to be unfit for use. The hay was not of much account, but the waggons cost three hundred dollars. And that was not all, for three days after the stack at the city took fire and also burnt up. We now had forty tons on the prairie, that escaped the fire. We then sold four yoke of oxen, got another waggon, and succeeded in drawing the balance, and stacking it near the city, where we are retailing it at eight cents a pound (160 dollars a ton), and keeping horses and mules at 2 dollars 50 cents a day.

"We have now two good teams, six yoke of oxen, and two waggons, which we are running from Sacramento to the mines, with freight, and which average us eighty dollars a day. They are now on a trip of six days, and will bring us in 900 dollars in dust. Teaming is decidedly the best business done here, and if it was not so late we should put on three or four waggons more. We intend, in the spring, to run at least ten teams. Had it not been for my goods, I should probably have been "shaking" or digging now. But I am convinced that mining is the poorest business done here, and the

hardest work any white man ever engaged in. From all my experience and observation, I candidly believe that the miners will average five dollars a day. I was extremely lucky, for numbers of our party have worked hard and are not a cent better off than the day they landed. It is all luck — a perfect lottery—and I have not heard of a single instance where a man has been very fortunate, that he continued so long. Thousands come here with sanguine expectations, but are woefully disappointed, and return disgusted with the country. Many lives are lost, and many more constitutions ruined. O—— and myself have been sick, and as we do not like to expose ourselves to the heat of the sun, or the heavy dew at night, we hire two men to drive our teams. One we pay at ten dollars a day, the other 250 dollars a month.

“I had an attack of fever caused by overwork, and rode to the hospital, three miles to Sutter's Fort, and put myself under the care of Doctor Craigan from Washington, the only comfortable place there for a sick man. I was there five days, had good care and attention, and for which I paid 125 dollars. I am able now to keep a horse to ride, so that my labour is comparatively easy, and I do not anticipate any serious results from my sickness.

“If I had had capital to operate with when I first came, I should now be ready for the return steamer with my fortune. Lots at Sacramento, which I could then have bought for 300 to 500 dollars, have since sold for 5,000 to 10,000 dollars. As a whole, I think there never was, and probably never will be again, such a country as this for making money. If any of my friends wish to come here for the purpose of making money—in almost any kind of business *except mining—come on*. Though thousands are coming, yet, take your chance with the rest. It requires either *hard labour or capital*.”

Our other extract is equally instructive. The writer arrived at San Francisco in October, and his letter is dated January 29th in the present year:—“I slept on the beach the first few nights, and went to work in the day for seven dollars a day, discharging vessels and such like, and have been employed ever since, until the rainy season commenced, for from seven to ten dollars a day. I then bought a tent, and lived in

it until a gale of wind blew it down. I intended to go to the mines or 'diggings,' as soon as I had sufficient to carry me there, but before that was accomplished the rains set in and stopped me. The crew and passengers mostly went up, but have come back again, bringing nothing with them, for we arrived too late in the year. I did better by staying here, but am going up in the spring to try my chance. There is plenty of gold, but it wants working, and it is a great deal chance work. People come here thinking to pick up gold by shovelfuls, and therefore spend all they have brought from home with them at the ports they call at on their passage, and find they are grievously mistaken when they arrive here, as they mostly do, penniless, and then they are obliged to work and do as I did, until they go to the mines. Others sell off all their clothes and effects and go there, work a few days, perhaps a few weeks, fall sick, and come down dispirited and disgusted. Sailors in general make out best, both there and here, but this is the worst time of the year, and things are very dead now. When I came here sailors' wages were 160 dollars a month; now they are from thirty to fifty. Daily wages were from six to ten dollars a day, now they are from three to five; and as we cannot work when it rains, the wages will not pay expenses. The heavy rains swell the rivers, and overflow the banks, driving the miners out. Ships come in every day laden with emigrants. Provisions get up, and wages down. The rainy season is considered nearly over now, and as soon as fine weather sets in things will get brisk, and the greater part of the people will be off to the mines again, but they will not be able to work much before May, for as the spring advances the snow melts from the mountains, and keeps the rivers swollen. \* \* \*

"Picture to yourself some thousands of people of all nations, living in tents, and for the most part lying on the ground in the winter season, amid pouring rain, and sometimes frost and snow, and yet sickness is comparatively scarce, so that it must be a very healthy clime.

"I would advise none to come here who have not strong, hardy constitutions, for people at home cannot form any idea of what they will have to put up with here, at least at

present; another year will make great alterations and improvements. If you know of any who are coming here, tell them to bring nothing with them but what they will absolutely require on their passage, except money, for the markets fluctuate so here, that an article that will fetch 400 or 500 per cent. profit now, perhaps in a month will not fetch cost price: for instance, six weeks ago flour sold at forty-five dollars a barrel, and in less than a week it was down to thirteen dollars, and although clothes fetch enormous prices by retail, I have seen them sold by auction wholesale at less than one-half cost price, independent of freight, lighterage, and carriage. One of our passengers, who missed his passage at St. Catherine's, came here in an American ship, and arrived three weeks before us; he had about thirty pounds worth of goods on board of us, which happened to be in demand at the time, and he sold them well; he has speculated with the money, and is now worth one thousand pounds. I saw how he was making money, and I tried too, but always lost. Farming is about the best business here, I think, and land can be bought at about two shillings an acre of the government, by becoming a citizen of the United States. The best and most expeditious route to come here is from England or New York to New Orleans, from thence to Chagres, and across the Isthmus to Panama, and thence to San Francisco by the packet steam-boat; it is the most expensive, but those who start now from home, and come by Cape Horn, will get here just in time to be too late for this year's work at the mines. I believe there will be more gold mines discovered and more gold taken out this year than there was last, and hope a portion of it will fall to my share."

Another recent writer gives the following information as to rates of wages, merchandise, &c:—"Although I was aware, ere I received your note, of the remuneration given here to clerks, I made fresh inquiry this afternoon, which I will state. Book-keepers get from 200 to 250 dollars a month—clerks from 150 to 200 dollars, with and without board—mechanics from 10 to 12 dollars, and labourers 7 to 8 dollars a day. At the present time (March last) there is a glut of all kinds of merchandise, which is sold, owing to the exorbitant price of

storage (from 10 to 20 dollars per month per barrel), and the produce of labour at a tremendous sacrifice; in fact you can buy clothing, &c., much cheaper in San Francisco than in the United States; the only articles which bring a fair price are boots and half-boots, the former at from 3 to 5 dollars per pair, and the latter from 2 to 3 dollars per pair.

From all I could learn, I think there could not be any difficulty in your getting a situation of some 3,000 dollars per year; but, even if you did not, money is to be made here faster than in any other place in the world, by trading and speculation, of which there are many opportunities day by day, nay, hour after hour. I have been told of several who have made by trading 2,000 and 3,000 dollars in two or three months. One great difficulty to be overcome is to get a place to rent. Some stores pay from 2,000 to 3,000 dollars a month."

As one of the writers we have quoted recommends the route by way of New York, the following particulars will be valuable to those who may have the means of taking it. An English emigrant for California on arriving at New York, will find that there are now three different lines of steamers constantly plying to Chagres. They are all of the first class, and some of them, such as the Ohio and Georgia, are of 2,000 tons burden. Besides these two belonging to the government mail line, there are the Empire City and the Crescent City, belonging to Howard's line, and the Cherokee and Philadelphia of Howland and Aspinwal's line. The lowest steerage fare is fifty dollars, and cabin one hundred dollars. The accommodations are excellent, and the vessels are swift and safe. A cabin passenger is allowed to take eight cubic feet of luggage free of charge, being equivalent to one fifth of a ton, and a steerage passenger six feet. When the steamer arrives off Chagres, she anchors off the bar, or lies in Navy Bay, several miles from the mouth of the river, and the passengers land in the ship's boats or canoes of the natives. This landing is at the expense of the ship. On their arrival, Chagres is found by the passengers to be a miserable village of huts, filled with half-clad negroes, where the whites cannot live and maintain their health, and the night air, for all classes, is pestiferous and deadly. Of course all seek to hurry away.

Some hire canoes, and others go on board a little steamer called the Herran, which is miserably inefficient, and proceed up the river as far as they can in her, performing the rest of the distance by water in canoes. The price of the conveyance depends upon the number of passengers. Ordinarily, a person may go up the river with a trunk or portmanteau for about ten dollars; oftentimes twenty-five dollars have been paid. The voyage on the river terminates in the dry season at Gorgona, and in the wet season at Cruces. At either of these places mules or mustangs may be obtained at from ten to twenty dollars each, to transport passengers or luggage. A mule load is about two hundred and fifty pounds. It usually occupies about two days and a half to cross from Chagres to Panama. Recently several very comfortable inns have been built at Chagres, Cruces, and Panama; and there is not so much expense in the transit as formerly. Panama is changing its appearance very much. The Americans have been buying and leasing property for various purposes; and the old inhabitants, who for years have been quite poor, now deem themselves rich. The rents of dilapidated stores, that a year since were not worth fifty dollars per annum, have gone up to five hundred dollars. It is believed that the seat of government will be removed to Panama, which will give it much additional importance. Large improvements are going on at the Island of Tobago, opposite the town where the steamers lie. A steam ferry to the island is about to be established. American commercial houses are also beginning business on a large scale.

From Panama to San Francisco the voyage is made either in Howland and Aspinwal's mail line, or in the opposition lines of Law and of Howland. Each of the latter have sent steamers to the Pacific. A cabin passage in these costs three hundred dollars, and a steerage passage 150 dollars. The voyage occupies about twenty days. Freight is as yet excessively dear, being about 150 dollars per ton of forty cubic feet.

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With these instructions, which will be useful equally to the intending emigrant, and to those who, having wealth and leisure, may wish to travel thither, we conclude our narrative

of the past history, present condition, and future prospects of the Golden Land. It contains, in a condensed form, all the information, collected from a great variety of authorities, which has as yet reached this country. The desire to avail ourselves of the latest intelligence, while it has rendered the narrative somewhat irregular and unmethodical, has at the same time enhanced its practical value, both to those who may think of emigrating, and also to those who may desire to know the history and capabilities of this singular country. A more extraordinary narrative can scarcely be imagined, than that which it has been our duty, as sober chroniclers of facts, to relate, and vast as have been the immediate consequences of the discovery of the gold placers in the valleys of the Sacramento and San Joaquin—they are but trivial to the political and social influences which that discovery is yet destined to produce on the civilized world. It has opened up new regions for the employment of industry, capital and enterprise. It will in a comparatively short period cause the most remote portions of the globe to be closely connected with each other by means of the facilities which modern science has placed at the command of society. Through the agency of the steam vessel, the railroad, and ultimately by the universal extension of the electric telegraph, time and space may be almost annihilated, and far distant continents be more closely connected for all the great purposes of commerce and civilization, than were the northern counties and the metropolis of England a century ago. The barbarism and antagonism which are the necessary results of mutual ignorance and isolation, may be expected to disappear before the steady flow of European energy, intellect, and skill, to those far off regions. Asia, the birth place of religion, art and industry, may by the reflex tide of western civilization, be raised from its present semi-civilized and, in some places, wholly barbarous condition; while in the fertile and beautiful islands of the Pacific, along the shores of New Holland, large enough almost to take rank as a fifth continent, and in the New Zealand groupe of islands, we have already planted the seeds of future powerful Anglo-Saxon States.



## APPENDIX.

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*Official Reports to the Government of the United States on the Population, Climate, Soil, Production—The General Character of Grants of Land from Mexico—The Extent and Condition of the Public Domain—The Commercial Resources and Prospects—The Mineral and Metallic Wealth of California—The last Intelligence, Mining and Commercial—Prospects of the present Season—Formation of the new Routes across the Isthmus and Central America.*

IN the compilation of the preceding history of the past and present condition of California, we have had to encounter considerable difficulties, the consequence of the fragmentary and fluctuating character of the intelligence upon which we had to rely, and the extraordinary circumstances accompanying the settlement and rapid development of the resources of the country. We are as well aware of the literary defects inseparable from such causes as any of the critics of our unpretending work can be ; but perhaps they are somewhat compensated by the breathless interest which, as in the case of an exciting drama, hurries the reader onward through the startling changes and deepening interest of this strange passage of modern history. In order that we may make the work as perfect as possible, we add, by way of postscript, an abstract of the report of the Hon. Butler King to the United States Government on California affairs. That gentleman was appointed, in the month of April last year, to make inquiries on the various important subjects indicated in the heading to this Appendix. He arrived in San Francisco in the month of June, and presented his report to the Central Government at Washington on the 22nd of March of the present year. It is therefore the most recent as well as the only authorized official report on the country ; and it will be seen that in a condensed shape it corroborates the general statements contained in the preceding pages. On the subject of Land Titles and the public domain, the report of Mr. W. C. Jones, who was appointed last summer confidential agent to the Government, for the special purpose of procuring information respecting the subject of Land Grants, Mission and Public Lands, contains much valuable and important information to all who contemplate settling in California. In the succeeding pages we have availed ourselves of some portions which appear most pertinent to the purposes of intending emigrants, while the information which follows is drawn from the latest American advices, and brings down the narrative to the present time. After giving a statement of the circumstances under

which the Convention formed a Constitution for the new state, Mr. King proceeds to his detailed Report, beginning with

## POPULATION.

Humboldt, in his Essay on New Spain, states the population of Upper California, in 1802, to have consisted of—

Converted Indians .....	15,562
Other classes .....	1,300

Total .....	16,862
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Alexander Forbes, in his History of Upper and Lower California, published in London in 1839, states the number of converted Indians in the former to have been,

In 1831 .....	18,683
Of all other classes, at.....	4,342

Total.....	23,025
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He expresses the opinion that the number had not varied much up to 1835, and the probability is, there was very little increase in the white population until the emigrants from the United States began to enter the country in 1838.

They increased from year to year, so that in 1846 Colonel Fremont had little difficulty in calling to his standard some five hundred fighting men.

At the close of the war with Mexico it was supposed that there were, including discharged volunteers, from ten to fifteen thousand Americans and Californians, exclusive of converted Indians, in the territory. The immigration of American citizens in 1849, up to the 1st of January last, was estimated at eighty thousand—of foreigners, twenty thousand.

The population of California may therefore be safely set down at 115,000 at the commencement of the present year.

It is quite impossible to form anything like an accurate estimate of the number of Indians in the territory. Since the commencement of the war, and especially since the discovery of gold in the mountains, their numbers at the missions and in the valleys near the coast have very much diminished. In fact, the whole race seems to be rapidly disappearing.

The remains of a vast number of villages in all the valleys of the Sierra Nevada, and among the foot-hills of that range of mountains, show that at no distant day there must have been a numerous population where there is not now an Indian to be seen. There are a few still retained in the service of the old Californians, but these do not amount to more than a few thousand in the whole territory. It is said there are large numbers of them in the mountains and valleys about the head waters of the San Joaquin, along the western base of the Sierra, and in the northern part of the territory, and that they are hostile. A number of Americans were killed by them during the last summer in attempting to penetrate high up the rivers in search of gold; they also drove one or two parties from Trinity River. They have, in several instances, attacked parties coming from or returning to Oregon.

It is quite impossible to form any estimate of the number of these mountain Indians. Some suppose there are as many as 300,000 in the territory, but I should not be inclined to believe that there can be one third of that number.

The small bands with whom I met, scattered through the lower portions of the foot-hills of the Sierra, and the valleys between them and

the coast, seemed to be almost of the lowest grade of human beings. They live chiefly on acorns, roots, insects, and the kernel of the pine burr—occasionally they catch fish and game. They use the bow and arrow, but are said to be too lazy and effeminate to make successful hunters. They do not appear to have the slightest inclination to cultivate the soil, nor do they even attempt it—as far as I could obtain information—except when they are induced to enter the service of the white inhabitants. They have never pretended to hold any interest in the soil, nor have they been treated by the Spanish or American immigrants as possessing any.

The Mexican Government never treated with them for the purchase of land, or the relinquishment of any claim of it whatever. They are lazy, idle to the last degree, and, although they are said to be willing to give their services to any one who will provide them with blankets, beef, and bread, it is with much difficulty they can be made to perform labour enough to reward their employers for these very limited means of comfort.

Formerly at the missions, those who were brought up und instructed by the priests made very good servants. Many of those now attached to families seem to be faithful and intelligent. But those who are at all in a wild and uncultivated state are most degraded objects of filth and idleness.

It is possible that Government might, by collecting them together, teach them, in some degree, the arts and habits of civilisation; but, if we may judge of the future from the past, they will disappear from the face of the earth as the settlements of the whites extend over the country. A very considerable military force will be necessary, however, to protect the emigrants in the northern and southern portions of the territory.

#### CLIMATE.

The climate of California is so remarkable in its periodical changes, and for the long continuance of the wet and dry seasons, dividing, as they do, the year into about two equal parts, which have a most peculiar influence on the labour applied to agriculture and the products of the soil, and, in fact, connect themselves so inseparably with all the interests of the country, that I deem it proper briefly to mention the causes which produce these changes, and which, it will be seen, as this report proceeds, must exercise a controlling influence on the commercial prosperity and resources of the country.

It is a well-established theory, that the currents of air under which the earth passes in its diurnal revolutions follow the line of the sun's greatest attraction. These currents of air are drawn toward this line from great distances on each side of it; and, as the earth revolves from west to east, they blow from north-east and south-east, meeting, and, of course, causing a calm on the line.

Thus, when the sun is directly, in common parlance, over the equator, in the month of March, these currents of air blow from some distance north of the tropic of Cancer, and south of the tropic of Capricorn, in an oblique direction toward this line of the sun's greatest attraction, and forming what are known as the north-east and south-east trade winds.

As the earth, in its path round the sun, gradually brings the *line* of attraction north, in summer these currents of air are carried *with* it; so that about the middle of May the current from the north-east has extended as far as the 38th. or 39th. degree of north latitude, and by the 20th. of June, the period of the sun's greatest northern inclination, to the northern portions of California and the southern section of Oregon.

These north-east winds, in their progress across the continent toward the Pacific Ocean, pass over the snow-capped ridges of the Rocky Mountains and the Sierra Nevada, and are of course deprived of all the moisture which can be extracted from them by the low temperature of those regions of eternal snow, and consequently no moisture can be precipitated from them, in the form of dew or rain, in a higher temperature than that to which they have been subjected. They, therefore, pass over the hills and plains of California, where the temperature is very high in summer, in a very dry state; and so far from being charged with moisture, they absorb, like a sponge, all that the atmosphere and surface of the earth can yield, until both become apparently perfectly dry.

This process commences, as I have said, when the line of the sun's greatest attraction comes north in summer, bringing with it these vast atmospheric movements, and on their approach produce the dry season in California, which, governed by these laws, continues until some time after the sun repasses the equator in September, when, about the middle of November, the climate being relieved from these north-east currents of air, the south-west winds set in from the ocean, charged with moisture—the rains commence and continue to fall, not constantly, as some persons have represented, but with sufficient frequency to designate the period of their continuance, from about the middle of November until the middle of May, in the latitude of San Francisco, as the wet season.

It follows, as a matter of course, that the *dry season* commences first, and continues longest in the southern portions of the territory, and that the climate of the northern part is influenced in a much less degree by the causes which I have mentioned than any other section of the country, consequently we find that as low down as latitude  $39^{\circ}$  rains are sufficiently frequent in summer to render irrigation quite unnecessary to the perfect maturity of any crop which is suited to the soil and climate.

There is an extensive ocean current of cold water, which comes from the northern regions of the Pacific, or perhaps from the Arctic, and flows along the coast of California. It comes charged with, and emits in its progress, air, which appears in the form of fog when it comes in contact with a higher temperature on the American coast, as the Gulf stream of the Atlantic exhales vapour when it meets, in any part of its progress, a lower temperature. This current has not been surveyed, and, therefore, its source, temperature, velocity, width, and course have not been accurately ascertained.

It is believed by Lieutenant Maury, on what he considers sufficient evidence—and no higher authority can be cited—that the current comes from the coasts of China and Japan, flows northwardly to the peninsula of Kamtschatka, and making a circuit to the eastward, strikes the American coast in about latitude  $41^{\circ}$  or  $42^{\circ}$ . It passes thence southwardly, and finally loses itself in the tropics.

Below latitude  $39^{\circ}$  and west of the foot hills of the Sierra Nevada, the forests of California are limited to some scattering groves of oak in the valleys and along the borders of the streams, and of red-wood on the ridges and in the gorges of the hills—sometimes extending into the plains. Some of the hills are covered with dwarf shrubs, which may be used as fuel. With these exceptions, the whole territory presents a surface without trees or shrubbery. It is covered, however, with various species of grass, and for many miles from the coast with wild oats, which, in the valleys, grow most luxuriantly. These grasses and

oats mature and ripen early in the dry season, and soon cease to protect the soil from the scorching rays of the sun. As the summer advances, the moisture in the atmosphere and the earth, to a considerable depth, soon becomes exhausted; and the radiation of heat, from the extensive naked plains and hill sides, is very great.

The cold, dry currents of air from the north-east, after passing the Rocky Mountains and the Sierra Nevada, descend to the Pacific, and absorb the moisture of the atmosphere, to a great distance from the land. The cold air from the mountains, and that which accompanies the great ocean current from the north-west, thus become united, and vast banks of fog are generated, which, when driven by the wind, has a penetrating, or *cutting* effect on the human skin, much more uncomfortable than would be felt in the humid atmosphere of the Atlantic, at a much lower temperature.

As the sun rises from day to day, week after week, and month after month, in unclouded brightness during the dry season, and pours down his unbroken rays on the dry, unprotected surface of the country, the heat becomes so much greater inland than it is on the ocean, that an under-current of cold air, bringing the fog with it, rushes over the coast range of hills, and through their numerous passes toward the interior.

Every day, as the heat inland attains a sufficient temperature, the cold, dry wind from the ocean commences to blow. This is usually from eleven to one o'clock; and as the day advances the wind increases and continues to blow till late at night. When the vacuum is filled, or the equilibrium of the atmosphere restored, the wind ceases; a perfect calm prevails until about the same hour the following day, when the same process commences and progresses as before; and these phenomena are of daily occurrence, with few exceptions, throughout the dry season.

These cold winds and fogs render the climate at San Francisco, and all along the coast of California, except the extreme southern portion of it, probably more uncomfortable to those not accustomed to it in summer than in winter.

A few miles inland, where the heat of the sun modifies and softens the wind from the ocean, the climate is moderate and delightful. The heat in the middle of the day is not so great as to retard labour, or render exercise in the open air uncomfortable. The nights are cool and pleasant. This description of climate prevails in all the valleys along the coast-range, and extends throughout the country, north and south, as far eastward as the valley of the Sacramento and San Joaquin. In this vast plain the sea-breeze loses its influence, and the degree of heat in the middle of the day, during the summer months, is much greater than is known on the Atlantic coast in the same latitudes. It is dry, however, and probably not more oppressive. On the foot hills of the Sierra Nevada, and especially in the deep ravines of the streams, the thermometer frequently ranges from  $110^{\circ}$  to  $115^{\circ}$  in the shade, during three or four hours of the day, say from eleven to three o'clock. In the evening, as the sun declines, the radiation of heat ceases. The cool dry atmosphere from the mountains spreads over the whole country and render the nights cool and invigorating.

To show the extreme variations in the climate in different parts of the country, Mr King gives in detail, thermometrical observations taken by army assistant-surgeons, under the direction of Surgeon-general Lawson, at San Francisco, Monterey, Los Angeles, San Diego, and Luttersville. The periods embraced by these observations were not

concurrent; some extended over six months, and others over three. Making all allowance for the differences arising from these causes, they show great variations in climate, and fully account for the various and conflicting opinions upon it.

A stranger arriving at San Francisco in summer is annoyed by the cold winds and fogs, and pronounces the climate intolerable. A few months will modify if not banish his dislike, and he will not fail to appreciate the beneficial effects of a cool, bracing atmosphere. Those who approach California overland, through the passes of the mountains, find the heat of summer, in the middle of the day, greater than they have been accustomed to, and therefore many complain of it.

Those who take up their residence in the valleys which are situated between the great plain of the Sacramento and San Joaquin, and the coast-range of hills, find the climate, especially in the dry season, as healthful and pleasant as it is possible for any climate to be which possesses sufficient heat to mature the cereal grains and edible roots of the temperate zone.

The division of the year into two distinct seasons—dry and wet—impresses those who have been accustomed to the variable climate of the Atlantic states unfavourably. The dry appearance of the country in summer and the difficulty of moving about in winter seem to impose serious difficulties in the way of agricultural prosperity, while the many and decided advantages resulting from the mildness of winter, and the bright, clear weather of summer, are not appreciated.

We ought not to be surprised at the dislike which the immigrants frequently express to the climate. It is so unlike that from which they come, that they cannot readily appreciate its advantages, or become reconciled to its extremes of dry and wet.

If a native of California were to go to New England in winter, and see the ground frozen and covered with snow, the streams with ice, and find himself in a temperature many degrees colder than he had ever felt before, he would probably be as much surprised that people could or would live in so inhospitable a region, as any immigrant ever has been at what he has seen or felt in California.

So much are our opinions influenced by early impressions, the vicissitudes of the seasons with which we are familiar, love of country, home, and kindred, that we ought never to hazard a hasty opinion when we come in contact with circumstances entirely different from those to which we have all our lives been accustomed.

#### SOIL.

The valleys which are situated parallel to the coast range, and those which extend eastwardly in all directions among the hills toward the great plain of the Sacramento, are of unsurpassed fertility.

They have a deep, black, alluvial soil, which has the appearance of having been deposited when they were covered with water. The idea is strengthened by the fact, that the rising grounds on the borders of these valleys, and many hills of moderate elevation, have a soil precisely like that of the adjoining plains.

This soil is so porous that it remains perfectly unbroken by gullies, notwithstanding the great quantity of water which falls in it annually during the wet season. The land in the northern part of the territory, on the Trinity and other rivers, and on the borders of Clear Lake, as far as it has been examined, is said to be remarkably fertile.

The great valley of the Sacramento and San Joaquin has evidently been, at some remote period, the bed of a lake; and those rivers which drain it present the appearance of having cut their channels through

the alluvial deposit after it had been formed. In fact, it is not possible that they could have been instrumental in forming the plain through which they pass. Their head-waters come from the extreme ends of the valley, north and south; and, were it not for the supply of water received from the streams which flow into them from the Sierra Nevada, their beds would be almost, if not quite, dry in the summer months. The soil is very rich, and, with a proper system of drainage and embankment, would undoubtedly be capable of producing any crop, except sugar-cane, now cultivated in the Atlantic states of the Union.

There are many beautiful valleys and rich hill-sides among the foothills of the Sierra Nevada, which, when the profits of labour in mining shall be reduced, so as to cause its application to agriculture, will probably support a large population. There is said to be a rich belt of well-timbered and watered country extending the whole length of the gold region between it and the Sierra Nevada, some twenty miles in width. There is no information sufficiently accurate respecting the eastern slope of the great snowy range to enable us to form any opinion of its general character or soil. Some of its valleys have been visited by miners, who represent them as fully equal to any portion of the country to the westward of it.

The great valley of the Colorado, situated between the Sierra Madre and the Sierra Nevada, is but little known. It is inhabited by numerous tribes of savages, who manifest the most decided hostility toward the whites, and have hitherto prevented any explorations of their country, and do not permit emigrants to pass through it. Therefore parties from Santa Fé, on their way to California, are compelled to make a circuit of near a thousand miles northward to the Salt Lake, or about the same distance southward by the route of the Gila. Although this valley is little known, there are indications that it is fertile and valuable.

The name of the river "Colorado" is descriptive of its waters: they are as deeply coloured as those of the Missouri or Red River, while those of the Gila, which we know flows through barren lands, are clear.

It would seem impossible for a large river to collect sediment enough, in a sandy, barren soil, to colour its waters so deeply as to give it a name among those who first discovered and have since visited its shores. The probability therefore is, that this river flows through an alluvial valley of great fertility, which has never been explored. This conjecture is strengthened by the fact that the Indians who inhabit it are hostile, and oppose, as far as they can, all persons who attempt to enter or explore it. This has been their uniform course of conduct respecting all portions of the continent which have been fertile, abounding in game and the spontaneous productions of the earth.

As this valley is situated in the direct route from Santa Fé to California, its thorough exploration becomes a matter of very great importance, especially as it is highly probable that the elevated regions to the north of it, covered with snow during most of the year, will force the line of the great National Railway to the Pacific through some portion of it.

The soil situated west of the Sierra Nevada, and embracing the plain of the Sacramento and San Joaquin, covers an area, as nearly as can be estimated, of between fifty and sixty thousand square miles, and would, under a proper system of cultivation, be capable of supporting a population equal to that of Ohio or New York at the present time.

## PRODUCTS OF CALIFORNIA.

Previous to the treaty of peace with Mexico, and the discovery of gold, the exportable products of the country consisted almost exclusively of hides and tallow. The Californians were a pastoral people, and paid much more attention to the raising of horses and cattle than the cultivation of the soil.

Wheat, barley, maize, beans, and edible roots were cultivated in sufficient quantity for home consumption, but not for exportation. At that time, a full-grown ox, steer, or cow, was worth about 2 dols. Beef cattle, delivered on the navigable waters of the Bay of San Francisco, are now worth from 20 dols. to 30 dols. per head; horses, formerly worth from 5 dols. to 10 dols., are now valued at 60 dols. to 150 dols. The destruction of cattle for hides and tallow has now entirely ceased, in consequence of the demand for beef. This demand will of course increase with the population; and it would seem that, in a very few years, there will be none to supply the market.

If California increases in population as fast as the most moderate estimate would lead us to believe, it will not be five years before she will require more than 100,000 head of beef cattle per annum, from some quarter, to supply the wants of her people.

It must not be supposed that salt provisions may supply this vast demand. Those who have attempted to live on such food during the dry season have been attacked with scurvy and other cutaneous diseases, of which many have died.

There is no climate in the world where fresh meat and vegetables are more essential to human health. In fact they are indispensable.

It must not be inferred that cattle driven across the plains and mountains from the western states will be fit for beef on their arrival in California; but one winter and spring on the luxuriant pastures of that country would put them in a condition which would render them acceptable in any Atlantic market.

These grazing-grounds are extensive enough to support five times as many cattle as may be *annually* required, therefore there will be no scarcity of food for them.

The climate and soil of California are well suited to the growth of wheat, barley, rye, and oats. The temperature along the coast is too cool for the successful culture of maize, as a field crop. The fact that oats, the species which is cultivated in the Atlantic states, are annually self-sowed, and produced on all the plains and hills along the coast, and as far inland as the sea-breeze has a marked influence on the climate, is sufficient proof that all the cereal grains may be successfully cultivated without the aid of *irrigation*.

It is quite true that *this auxiliary* was extensively employed at the missions, and undoubtedly increased the product of all crops to which it was applied, as it will in any country on earth, if skilfully used. This does not prove, however, that it was *essentially necessary* to the production of an ample reward to the husbandman. The experience of all the old inhabitants is sufficient evidence of this. If their imperfect mode of culture secured satisfactory returns, it is reasonable to presume that a more perfect system would produce much greater results. There is abundant evidence to prove that, in the rich alluvial valleys, wheat and barley have produced from forty to sixty bushels from one bushel of seed, *without irrigation*.

Irish potatoes, turnips, onions, in fact all the edible roots known and



cultivated in the Atlantic states, are produced in great perfection. In all the valleys east of the coast range of hills the climate is sufficiently warm to mature crops of Indian corn, rice, and probably tobacco.

The cultivation of the grape has attracted much attention at the missions, among the residents of towns, and the rural population, and been attended with much success wherever it has been attempted. The dry season secures the fruit from those diseases which are so common in the Atlantic states, and it attains very great perfection.

The wine made from it is of excellent quality, very palatable, and can be produced in any quantity. The grapes are delicious, and produced with very little labour. When taken from the vines in bunches, and suspended in a dry room, by the stems, they become partially dry, retain their flavour, and remain several weeks, perhaps months, without decay.

Apples, pears, and peaches, are cultivated with facility, and there is no reason to doubt that all the fruits of the Atlantic states can be produced in great plenty and perfection.

The grasses are very luxuriant and nutritious, affording excellent pasture. The oats, which spring up the whole length of the sea-coast, and from forty to sixty miles inland, render the cultivation of that crop entirely unnecessary, and yield a great quantity of nutritious food for horses, cattle, and sheep. The dry season matures, and I may say cures, these grasses and oats, so that they remain in an excellent state of preservation during the summer and autumn, and afford an ample supply of forage. While the whole surface of the country appears parched, and vegetation destroyed, the numerous flocks and herds, which roam over it, continue in excellent condition.

Although the mildness of the winter months, and the fertility of the soil, secure to California very decided agricultural advantages, it is admitted that *irrigation* would be of very great importance, and necessarily increase the products of the soil in quantity and variety, during the greater part of the dry season. It should, therefore, be encouraged by Government, in the survey and disposition of the public lands, as far as practicable.

The farmer derives some very important benefits from the dry season. His crops in harvest-time are never injured by rain; he can with perfect confidence permit them to remain in his fields as long after they have been gathered as his convenience may require; he has no fears that they will be injured by wet or unfavourable weather. Hence it is that many, who have long been accustomed to that climate, prefer it to the changeable weather east of the Rocky Mountains.

As already stated, the forests of California, south of latitude 39°, and west of the foot-hills of the Sierra Nevada, are limited to detached, scattered groves of oak in the valleys, and of red-wood on the ridges and on the gorges of the hills.

It can be of no practical use to speculate on the causes which have denuded so large an extent of country, further than to ascertain whether the soil is or is not favourable to the growth of forest trees.

When the dry season sets in, the entire surface is covered with a luxuriant growth of grass and oats, which, as the summer advances, becomes perfectly dry. The remains of all dead trees and shrubs also become dry. These materials, therefore, are very combustible, and usually take fire in the latter part of summer and beginning of autumn, which commonly passes over the whole country, destroying in its course the young shrubs and trees. In fact, it seems to be the same process which has destroyed or prevented the growth of forest trees on the

prairies of the western states, and not any quality in the soil unfriendly to their growth.

The absence of timber, and the continuance of the dry season, are apt to be regarded by farmers, on first going into the country, as irremediable defects, and as presenting obstacles almost insurmountable to the successful progress of agriculture. A little experience will modify these opinions.

It is soon ascertained that the soil will produce abundantly without manure; that flocks and herds sustain themselves through the winter without being fed at the farm-yard, and, consequently, no labour is necessary to provide forage for them; that ditches are easily dug, which present very good barriers for the protection of crops, until live fences can be planted and have time to grow. Forest trees may be planted with little labour, and in very few years attain a sufficient size for building and fencing purposes. Time may be usefully employed in sowing various grain and root crops during the wet or winter season. There is no weather cold enough to destroy root crops, and, therefore, it is not necessary to gather them. They can be used or sold from the field where they grow. The labour, therefore, required in most of the old states to fell the forests, clear the land of rubbish, and prepare it for seed, may here be applied to other objects.

All these things, together with the *perfect security of all crops in harvest-time from injury by wet weather*, are probably sufficient to meet any expense which may be incurred in irrigation, or caused, for a time, by a scanty supply of timber.

In the northern part of the territory, above latitude 39°. and on the hills, which rise from the great plain of the Sacramento and San Joaquin, to the foot of the Sierra Nevada, the forests of timber are beautiful and extensive, and would, if brought into use, be sufficiently productive to supply the wants of the southern and western portions of the state.

I have spoken of the agricultural products and resources of the country, without reference to the remarkable state of things caused by the discovery of gold, which, it is probable, will postpone for an indefinite time all efforts to improve the soil. As long as labourers can earn fifteen dollars or more per day, in collecting gold, they can very well afford to import their supplies from countries where the wages of labour are not more than from fifty cents to one dollar per day. It is not, therefore, to be supposed that the soil will be cultivated more than for the production of vegetables, fruits, and other articles so perishable in their nature that they cannot be brought from a great distance, will require.

#### PUBLIC DOMAIN.

The extent and value of the public lands, suitable for agricultural purposes in California, cannot be ascertained with any degree of accuracy until some very important preliminary questions shall have been settled.

It is not known whether the Jesuits who founded the mission, or their successors, the Franciscans, ever did, or do now hold any title from the Spanish crown to the lands which they occupied. Nor has any investigation been made to ascertain how far those titles, if they ever existed, have been invalidated by the acts of the priests, or the decrees of the Mexican Government.

A superficial view of the matter would be very apt to lead to the supposition that the Jesuits, so celebrated for wisdom and cunning, would not fail to secure that which, at that time, would probably have

been obtained by merely asking for it—a Royal decree, granting to them all the lands they might require in that remote country for ecclesiastical purposes. There have been some intimations to that effect, but nothing is distinctly known. These missions embrace within their limits some of the most valuable lands in the territory, and it is very important that it should be ascertained whether they belong to the Government, or may justly be claimed by individuals.

Most of the land fit for cultivation south of latitude 39°. and west of the valley of the Sacramento and San Joaquin, is claimed under what purport to be grants from the Mexican Government.

On most of these grants the minerals and metals are reserved to the Government—conditions were coupled with many of them which have not been complied with. In others, the boundaries described embrace two or three times as much land as the grant conveys.

The Mexican law required all grants made by the Provisional Government, with few exceptions, to be confirmed by the Supreme Government. The great distance which separated them, and the unfrequent or difficult means of communication, made a compliance with the law so expensive and tardy, that it came to be almost disregarded.

There were other causes which led to this neglect.

Previous to the treaty with Mexico and the immigration of American citizens to that country, land was not regarded as of much value, except for grazing purposes. There was room enough for all. Therefore the claimants or proprietors did not molest each other, or inquire into the validity of titles.

These extensive grants are described by natural boundaries, such as mountains, bays, and promontories, which, in many instances, might allow of a variation of several miles in the establishment of a corner with chain and compass.

By the treaty of Guadalupe Hidalgo, the United States purchased all the rights and interests of Mexico to and in California. This purchase not only embraced all the lands which had not been granted by Mexico, but all the reserved minerals and metals, and also the reversionary rights which might accrue to Mexico from a want of compliance on the part of the grantees with the conditions of their grants, *or a want of perfection in the grants.*

It will be perceived that this is a subject of very great importance, not only to the people of California but to the United States, and calls for prompt and efficient action on the part of the Government. It is believed that the appointment of competent commissioners, fully empowered to investigate these titles, in a spirit of kindness towards the claimants, with power to confirm such titles as justice may seem to demand, or with instructions to report their proceedings and awards to Congress, for confirmation or rejection, will be the best and perhaps the only satisfactory mode of adjusting this complex and difficult question.

The lands in the northern part of the territory, above the 39°. have not been explored or granted. They are supposed to embrace an area of about twenty millions of acres, a large portion of which is doubtless valuable for its timber and soil.

Comparatively few grants have been obtained in the great valley of the Sacramento and San Joaquin. This vast tract, therefore, containing, as is estimated, from twelve to fifteen millions of acres, belongs mostly to the Government. South of this valley, and west of the Colorado, within the limits of California, as indicated in her constitution, there are said to be extensive tracts of valuable unappropriated land,

and on investigation it will probably appear that there are many of them, in detached bodies, which have not been granted.

I do not speak of the gold region, embracing the entire foot-hills of Sierra Nevada, some five hundred miles long, and sixty miles broad, in connection with the public domain, which may be embraced in the general land system for sale and settlement, for reasons which will be hereafter assigned.

The survey of the public lands, on a system suited to the interests of the country, is a matter of very great importance. In the inhabited portions of the territory, the boundaries of Mexican grants, running as they do in all directions, will render the system of surveys by parallels of latitude and longitude quite impracticable.

In all parts of the country irrigation is desirable, and its benefits should be secured as far as possible by suitable surveys and legal regulations. Most of the valleys are watered by streams sufficiently large to be rendered very useful. It would, therefore, seem wise to lay off the land in conformity to the course of the hills and streams which bound and drain the valleys.

A system of drainage, which would also secure irrigation, is absolutely necessary to give value to the great plain of the Sacramento and San Joaquin. This valley is so extensive and level, that if the rivers passing through it were never to overflow their banks, the rain which falls in winter would render a greater portion of it unfit for cultivation. The foundation of such a system can only be established in the survey and sale of the land.

This can be done by laying out canals and drains at suitable distances, and in proper directions, and leaving wide margins to the rivers, that they may have plenty of room to increase their channels when their waters shall be confined within them by embankments.

It would be well, also, to regulate the price of these lands, so as to meet, in some degree, the expense of draining them.

This system would, when agriculture shall become a pursuit in California, make this valley one of the most beautiful and productive portions of the Union.

On this subject, Mr Jones gives important information, besides indicating the spirit in which the central Government ought to treat the matter. He says:

#### TITLES AND RECORDS OF TITLES.

The Viceroy of New Spain had also, of course, authority to make grants in California, and sometimes exercised it. It was pursuant to his order that presidios, missions, and pueblos were severally established, and the places for them indicated by the local authority. Under all these authorities grants were made; strictness of written law required that they should have been made by exact measurements, with written titles, and a record of them kept. In the rude and uncultivated state of the country that then existed, and lands possessing so little value, these formalities were to a great extent disregarded; and if not then altogether disregarded, the evidence of their observance in many cases is now lost. It is certain that the measurements, even of the grants of village lots, were very unexact and imperfect; and of larger tracts, such as were granted to the principal men, no measurement at all attempted, and even the quantity not always expressed, the sole description often being by a name descriptive, in fact or by repute, of the place granted. The law of custom, with the acquiescence of the highest authorities, overcame, in these respects, the written law. Written permits and grants

were no doubt usually given, but if any systematic records or memoranda of them were kept, they have now disappeared, or I was not able to meet with them. In some cases, but not in all, the originals no doubt still exist in the possession of the descendants of the grantees; indeed, I have been assured there are many old written titles in the country, of which the archives do not contain any trace. But, in other cases, no doubt, the titles rested originally only on *verbal* permits. It was very customary in the Spanish colonies for the principal neighbourhood authorities to give permission to occupy and cultivate lands, with the understanding that the party interested would afterward at a convenient occasion obtain his grant from the functionary above. Under these circumstances the grant was seldom refused, but the application for it was very often neglected; the title by permission being entirely good for the purposes of occupation and use, and never questioned by the neighbours. All these titles, whatever their original character, have been respected during the twenty-six or twenty-seven years of Mexican and local government. And whether evidenced now or ever by any written title, they constitute as meritorious and just claims as property is held by in any part of the world. They were, in the first place, the meagre rewards for expatriation, and arduous and hazardous public service in a remote and savage country; they are now the inheritance of the descendants of the first settlers of the country, and who redeemed it from (almost the lowest stage of) barbarism. Abstractly considered, there cannot be any higher title to the soil.

Many of the holders of old grants have taken the precaution to have them renewed, with a designation of boundary and quantity, under the forms of the Mexican law; and of these the proper record exists in the archives. To what extent old titles have been thus renewed, could not be ascertained, for the reason that there is no record of the old titles by which to make the comparison.

The principal difficulty that must attend the separation of the old grants from the public lands, or rather, to ascertain what is public domain and what private property, in the parts where those old grants are situate, is in the loose designation of their limits and extent. The only way that presents itself of avoiding this difficulty, and of doing justice both to the claimant and the Government, would seem to be in receiving, with respect to the old grants, verbal testimony of occupation and of commonly reputed boundaries, and thereby, with due consideration of the laws and principles on which the grants were made, governing the surveys.

#### INDIAN RIGHTS.

It is a principle constantly laid down in the Spanish colonial laws, that the Indians shall have a *right* to as much land as they need for their habitations, for tillage and for pasturage. Where they were already partially settled in communities, sufficient of the land which they occupied was secured them for those purposes. If they were wild, and scattered in the mountains and wildernesses, the policy of the law, and of the instructions impressed on the authorities of the distant provinces was to reduce them, establish them in villages, convert them to Christianity, and instruct them in useful employments. The province of California was not excepted from the operation of this rule. It was for this purpose especially that the missions were founded and encouraged. The instructions heretofore quoted, given to the Commandant of Upper California in August, 1773, enjoin on that functionary that "the reduction of the Indians, in proportion as the spiritual conquests advance, shall be one of his principal cares;" that the reduction made, "and as

rapidly as it proceeds, it is important for their preservation and augmentation to congregate them in mission settlements, in order that they may be civilized and led to a rational life; which" (adds the instructions) "is impossible, if they be left to live dispersed in the mountains."

The early laws were so tender of these rights of the Indians, that they forbade the allotment of lands to the Spaniards, and especially the rearing of stock, where it might interfere with the tillage of the Indians. Special direction was also given for the selection of lands for the Indian villages, in places suitable for agriculture, and have the necessary wood and water. The lands set apart to them were likewise inalienable, except by the advice and consent of officers of the Government, whose duty it was to protect the natives as miners or pupils.

Agreeably to the theory and spirit of these laws, the Indians in California were always supposed to have a certain property or interest in the missions. The instructions of 1773 authorised, as we have already seen, the Commandant of the Province to make grants to the mission Indians of lands of the missions, either in community or individuality. But apart from any direct grant, they have been always reckoned to have a right of settlement; and we shall find that all the plans that have been adopted for the secularization of the missions have contemplated, recognised, and provided for this right. That the plan of Híjar did not recognise or provide for the settlement of Indians was one of the main objections to it urged by Governor Figueroa and the Territorial Deputation. That plan was entirely discomfited; all the successive ones that were carried into partial execution placed the Indian right of settlement among the first objects to be provided for. We may say, therefore, that, however mal-administration of the law may have destroyed its intent, the law itself has constantly asserted the rights of the Indians to habitations, and sufficient fields for their support. The law always intended the Indians of the missions—all of them who remained there—to have homes upon the mission grounds. The same, I think, may be said of the large ranchos—most, or all of which, were formerly mission ranchos—and of the Indian settlements or *rancherías* upon them. I understand the law to be, that wherever Indian settlements are established, and they till the ground, they have a right of occupancy in the land which they need and use; and whenever a grant is made which includes such settlements, the grant is subject to such occupancy. This right of occupancy, however—at least when on private estates—is not transferable; but whenever the Indians abandon it, the title of the owner becomes perfect. Where there is no private ownership over the settlement, as where the lands it occupies have been assigned it by a functionary of the country thereto authorized, there is a process, as before shown, by which the natives may alien their title. I believe these remarks cover the principles of the Spanish law, in regard to Indian settlements, as far as they have been applied in California, and are conformable to the customary law that has prevailed there.

The continued observance of this law, and the exercise of the public authority to protect the Indians in their rights under it, cannot, I think, produce any great inconvenience; while a proper regard for long-recognised rights, and a proper sympathy for an unfortunate and unhappy race, would seem to forbid that it should be abrogated, unless for a better. The number of subjugated Indians is now too small, and the lands they occupy too insignificant in amount, for their protection to the extent of the law to cause any considerable molestation. Beside, there are causes at work by which even the present small number is rapidly diminishing; so that any question concerning them can be but

temporary. In 1834, there were employed in the mission establishments alone the number of 30,650. In 1842—only about eight years after the restraining and compelling hand of the missionaries had been taken off—their number on the missions had dwindled to 4,450; and the process of reduction has been going on as rapidly since.

In the wild or wandering tribes, the Spanish law does not recognise any title whatever to the soil.

#### EXTENT OF THE PUBLIC DOMAIN.

It is a common opinion, that nearly all of what may be called the coast country—that is, the country west of the Sacramento and Joaquin valleys—which lies south of, and including the Sonoma district, has been ceded, and is covered with private grants. If this were the case, it would still leave the extensive valleys of those large rivers and their lateral tributaries almost intact, and a large extent of territory—from three to four degrees of latitude—at the north, attached to the public domain, within the state of California, beside the gold region, of unknown extent, along the foot-hills of the Sierra Nevada. But while it may be nominally the case, that the greater part of the coast country referred to is covered with grants, my observation and information convince me that when the country shall have been surveyed, after leaving to every grantee all that his grant calls for, there will be extensive and valuable tracts remaining. This is explained by the fact that the grants were not made by measurement, but by a loose designation of boundaries, often including a considerably greater extent of land than the quantity expressed in the title; but the grant usually provides that the overplus shall remain to the Government. Although, therefore, the surveys, cutting off all above the quantity expressed in the grant, would often interfere with nominal occupation, I think justice would generally be done by that mode to all the interests concerned—the holders of the grants, the Government, and the wants of the population crowding thither. To avoid the possibility of an injustice, however, and to provide for cases where long occupation or peculiar circumstances may have given parties a title to the extent of their nominal boundaries, and above the quantity expressed in their grants, it would be proper to authorize any one who should feel himself aggrieved by this operation of the survey to bring a suit for the remainder.

#### CHARACTER OF THE GRANTS.

The grants in California, I am bound to say, are mostly *perfect titles*—that is, the holders possess their property by titles that, under the law which created them, were equivalent to patents from our Government; and those which are not perfect—that is, which lack some formality or some *evidence* of completeness—have the same *equity* as those which are perfect, and were and would have been equally respected under the Government which has passed away. Of course I allude to grants made in good faith, and not to simulated grants, if there be any such, issued since the persons who made them ceased from their functions in that respect.

I think the state of land titles in that country will allow the public lands to be ascertained and the private lands set apart, by judicious measures, with little difficulty. Any measure calculated to discredit, or cause to be distrusted, the general character of the titles there, beside the alarm and anxiety which it would create among the ancient population, and among all present builders of property, would, I believe, also retard the substantial improvement of the country: a title discredited is not destroyed, but every one is afraid to touch it, or at all events to invest labour and money in improvements that rest on a

suspected tenure. The holder is afraid to improve; others are afraid to purchase, or if they do purchase at its discredited value, willing only to make inconsiderable investments upon it. The titles not called in question (as they certainly, for any reason which I could discover, do not deserve to be), the pressure of population, and the force of circumstances, will soon operate to break up the existing large tracts into farms of such extent as the nature of the country will allow of, and the wants of the community require; and this under circumstances, and with such assurance of tenure, as will warrant those substantial improvements that the thrift and prosperity of the country in other respects invite.

I think the rights of the Government will be fully secured, and the interests and permanent prosperity of all classes in that country best consulted, by no other general measure in relation to private property than an authorized survey, according to the grants, where the grants are modern, or since the accession of the Mexican Government, reserving the overplus; or, according to ancient possession, where it dates from the time of the Spanish Government, and the written evidence of the grant is lost, or does not afford data for the survey. But providing that in any case where, from the opinion of the proper law officer or agent of the Government in the state, or from information in any way received, there may be reason to suppose a grant invalid, the Government (or a proper officer of it) may direct a suit to be instituted for its annulment.

#### COMMERCIAL RESOURCES.

"The commercial resources of California," says Mr King, "are, at present, founded entirely on her *metallic wealth*—her vast mineral treasures remaining undeveloped, and her fertile soil almost wholly neglected; and this must continue to be the case as long as labour, employed in collecting gold, shall be more profitable than in any other pursuit which can furnish the sinews of commerce.

"The day is probably not distant, however, when her minerals, especially the quicksilver mines, will be extensively and profitably worked.

"Gold is the product of the country, and is immediately available, in an uncoined state, for all the purposes of exchange. It is not there as in other countries where the productions of the earth and of art are sent to markets—foreign or domestic—to be exchanged for the precious metals, or other articles of value. There, gold not only supplies the medium of domestic trade, but of foreign commerce.

"At first view, this state of things would seem to be unfavourable to all extensive intercourse with other parts of the world, because of the want of return freights of *home production* for the vast number of vessels which will arrive with supplies.

These vessels, however, making no calculations on return cargoes, will estimate the entire profits of their voyage on their outward freights, and become, on their arrival, willing carriers for a comparatively small consideration.

This tendency in the course of trade, it would seem, must make San Francisco a warehouse for the supply, to a certain extent, of all the ports of the Pacific, American, Asiatic, and the islands.

Almost every article now exported by them finds a ready market in California, and the establishment of a mint will bring there also the silver bullion, amounting to more than ten millions per annum, from the west coast of Mexico, and, perhaps, ultimately, from Chili and Peru, to be assayed and coined.

Vessels bound round Cape Horn, with cargoes for markets on the



American coast of the Pacific, can, by taking advantage of the south-east trade winds, and "standing broad-off the Cape," make the voyage to San Francisco in as short a time as they can to Valparaiso, or any port south of California. Vessels have sailed from our Atlantic ports to San Francisco in less than one hundred days, and they have been, in more than one instance, over one hundred and twenty days in going from Panama to San Francisco.

This astonishing difference, in time and distance, was caused by the course of the winds and the "gulf-stream" of the Pacific, mentioned in my remarks on the climate of California.

The vessels from our Atlantic ports took advantage of the winds by steering *from the Cape* as far into the Pacific as to be enabled to take a course west of the gulf-stream in sailing northward, thus availing themselves first of the south-east, then of the north-west "trades," and avoiding opposing currents.

The vessels from Panama were kept back by calms, adverse winds, and currents. It will be perceived, therefore, that there can be no inducement for vessels bound round Cape Horn, with mixed or assorted cargoes, to stop at Valparaiso, Callao, Guayaquil, or any other port on the west coast, because the exports of all those places will seek a market at San Francisco; and their supply of merchandise, as *return freight*, will be delivered at less expense than it can be by vessels direct from Atlantic ports, American or European. This tendency of trade to concentrate at San Francisco will be aided by the course of exchange.

Gold dust is worth \*but 17 dols. per ounce in Chili. It is worth 18 dols. at the United States Mint. If, therefore, a merchant at Valparaiso has ten thousand ounces in San Francisco, received in payment for lumber, barley, flour, or other produce, and desires an invoice of goods from the United States or Europe, he will gain 10,000 dols. at the outset, by sending his gold to New York, besides saving something on the freight and insurance, and at least one month's interest.

The countries on the west coast of America have no exports which find a market in China, or other ports of Asia. San Francisco will, therefore, become not only the mart of these exports, but also of the products and manufactures of India required in exchange for them, which must be paid for principally in gold coin or gold dust. Neither gold coin nor gold dust will answer as a remittance to China. Gold, in China, is not currency in any shape, nor is it received in payment of import duties, or taxes on land, or on the industry of the people.

The value of pure gold in China is not far from 14 dols. the ounce. Hence, the importer of manufactures and products of India into San Francisco will remit the gold coin or dust direct to New York, for investment in sterling bills on London. These bills will be sent to London, and placed to the credit of the firm in China, from whom the merchandise had been received, and who, on learning of the remittance having gone forward to their agents, will draw a *six months' sight bill* for the amount, which will sell in China at the rate of four shillings and two pence or *three pence* per dollar.

I have a statement before me from one of the most eminent merchants and bankers of New York, who was for many years engaged extensively in the India trade, which shows that

The profit or gain on 10,000 oz. of gold thus remitted would be .....	Dols. 34,434	44
And that the loss on the same quantity, sent direct to China, would be.....	15,600.	00
Total difference in profit and loss in favour of the remittance to New York.....	Dols, 50,034	44

It will thus be perceived, that nature has so arranged the winds and currents of the Pacific, and disposed of her vast treasures in the hills and mountains of California, as to give to the harbour of San Francisco the control of the commerce of that ocean, as far as it may be connected with the west coast of America.

Important as the commerce of the Pacific undoubtedly is, and will be, to California, it cannot now, nor will it ever compare in magnitude and value to the domestic trade between her and the older states of the Union.

Two years ago California did not probably contain more than 15,000 people. That portion of it which has since been so wonderfully peopled by American citizens, was, comparatively, without resources, and not supplied with the common comforts of shelter afforded by a forest country.

Notwithstanding the great distances emigrants have been compelled to travel to reach the territory, more than 100,000 have overcome all difficulties, and spread themselves over its hills and plains.

They have been supplied from distances as great as they themselves have passed, with not only the necessaries, but the comforts, and many of the luxuries of life. Houses have been imported from China, Chili, and the Atlantic states of the Union. All the materials required in building cities and towns have been added to the wants of a people so numerous, destitute, and remote from the sources of supply.

These wants will exist as long as emigration continues to flow into the country; and labour employed in collecting gold shall be more profitable than its application to agriculture, the mechanic arts, and the great variety of pursuits which are fostered and sustained in other civilized communities.

We have no data on which to found a calculation of what the value of the trade between the states east of the Rocky Mountains and California will be during the current year. I will venture the opinion, however, that it will not fall short of 25,000,000 dols. It may go far beyond that sum. At present I can perceive no cause which will retard or diminish emigration.

If the movement shall continue five years, our commerce with that territory may reach 100,000,000 dols. per annum. This is doubtless a startling sum, but it must be borne in mind that we have to build cities and towns, supply machinery for mining, coal for domestic purposes, and steam navigation, and all the multifarious articles used in providing the comforts and luxuries of life, for half a million of people, who will have transferred themselves to a country which is to produce, comparatively, nothing except minerals and the precious metals, and whose pursuits will enable them to purchase, at any cost, whatever may be necessary for their purposes.

It is difficult to imagine or calculate the effect which will be produced on all the industrial pursuits of the people of the old states of the Union, by this withdrawal from them of half a million of producers, who, in their new homes and new pursuits, will *give existence* to a commerce almost equal in value to our foreign trade. Let no one, therefore, suppose he is not interested in the welfare of California. As well may he believe his interests would not be influenced by closing our ports and cutting off intercourse with all the world.

The distance round Cape Horn is so great that bread stuffs and many other articles of food deteriorate, and many others are so perishable in their nature that they would decay on the passage. This would be the case particularly with all kinds of vegetables and undried fruits. Until

some more speedy mode of communication shall be established by which produce can be transferred, the farmers and planters of the old states will not realize the full value of this new market on the Pacific.

Many other important interests will be kept back, especially the consumption of coal. The American steamers now on the ocean, those on their way there, and others shortly to be sent out, will consume not far from one hundred thousand tons of coal per annum. The scarcity of wood in California will bring coal into general use as fuel, as soon as it can be obtained at reasonable prices. Suppose there may be, three years hence, forty thousand houses, which shall consume five tons each per annum. This, with the steamers, would be a consumption of three hundred thousand tons. If delivered at 20 dols. per ton, it would compete successfully with the coal from Vancouver's Island and New Holland, and amount to 6,000,000 dols.

The construction of a railroad across the Isthmus of Panama would secure the market for these articles against all competition.

#### METALLIC AND MINERAL WEALTH.

The gold region of California is between four hundred and five hundred miles long, and from forty to fifty miles broad, following the line of the Sierra Nevada. Further discoveries may, and probably will, increase the area. It embraces within its limits those extensive ranges of hills which rise on the eastern border of the plain of the Sacramento and San Joaquin, and extending eastwardly from fifty to sixty miles, attain an elevation of about four thousand feet, and terminate at the base of the main ridge of the Sierra Nevada. There are numerous streams which have their sources in the springs of the Sierra, and receive the water from its melting snows, and that which falls in rain during the wet season.

These streams form rivers, which have cut their channels through the ranges of foot-hills westwardly to the plain, and disembogue into the Sacramento and the San Joaquin. These rivers are from ten to fifteen, and probably some of them twenty miles apart.

The principal formation or substratum in these hills is talcose slate; the superstratum, sometimes penetrating to a great depth, is quartz. This, however, does not cover the entire face of the country, but extends in large bodies in various directions—is found in masses and small fragments on the surface, and seen along the ravines, and in the mountains overhanging the rivers, and in the hill-sides in its original beds. It crops out in the valleys and the tops of the hills, and forms a striking feature of the entire country over which it extends. From innumerable evidence and indications, it has come to be the universally-admitted opinion among the miners and intelligent men who have examined this region, that the *gold, whether in detached particles and in pieces, or in veins, was created in combination with the quartz.* Gold is not found on the surface of the country, presenting the appearance of having been thrown up and scattered in all directions by volcanic action. It is only found in particular localities, and attended by particular circumstances and indications. It is found in the bars and shoals of the rivers, in ravines, and in what are called the dry diggings.

The rivers, in forming their channels, or breaking their way through the hills, have come in contact with the quartz containing the gold veins, and by constant attrition cut the gold into fine flakes and dust, and it is found among the sand and gravel of their beds at those places where the swiftness of the current reduces it in the dry season to the narrowest possible limits, and where a wide margin is consequently left

on each side, over which the water rushes, during the wet season, with great force.

As the velocity of some streams is greater than others, so is the gold found in fine or coarse particles, apparently corresponding to the degree of attrition to which it has been exposed. The water from the hills and upper valleys, in finding its way to the rivers, has cut deep ravines, and, wherever it came in contact with the quartz, has dissolved or crumbled it in pieces.

In the dry season these channels are mostly without water, and gold is found in the beds and margins of many of them in large quantities, but in a much coarser state than in the rivers; owing, undoubtedly, to the moderate flow and temporary continuance of the current, which has reduced it to smooth shapes, not unlike pebbles, but had not sufficient force to reduce it to flakes or dust.

The dry diggings are places where quartz containing gold has cropped out, and been disintegrated, crumbled to fragments, pebbles, and dust, by the action of water and the atmosphere. The gold has been left as it was made, in all imaginable shapes; in pieces of all sizes, and from one grain to several pounds in weight. The evidences that it was created in combination with quartz are too numerous and striking to admit of doubt or cavil. *They are found in combination in large quantities.*

A very large proportion of the pieces of gold found in these situations have more or less quartz adhering to them. In many specimens they are so combined, they cannot be separated without reducing the whole mass to powder, and subjecting it to the action of quicksilver.

This gold, not having been exposed to the attrition of a strong current of water, retains, in a great degree, its original conformation.

These diggings, in some places, spread over valleys of considerable extent, which have the appearance of alluvion, formed by washings from the adjoining hills, of decomposed quartz, and slate earth, and vegetable matter.

In addition to these facts, it is beyond doubt true, that several veins have been taken, showing the minute connection between the gold and the rock, and indicating a value hitherto unknown in gold-mining.

These veins do not present the appearance of places where gold may have been lodged by some violent eruption. It is combined with the quartz, in all imaginable forms and degrees of richness.

The rivers present very striking, and, it would seem, conclusive evidence respecting the quantity of gold remaining undiscovered in the quartz veins. It is not probable that the gold in the dry diggings, and that in the rivers—the former in lumps, the latter in dust—was created by different processes. That which is found in the rivers has undoubtedly been cut or worn from the veins in the rock, with which their currents have come in contact. All of them appear to be equally rich. This is shown by the fact that a labouring man may collect nearly as much in one river as he can in another. They intersect and cut through the gold region, running from east to west, at irregular distances of fifteen to twenty, and perhaps some of them thirty miles apart.

Hence it appears that the gold veins are equally rich in all parts of that most remarkable section of country. Were it wanting, there are further proofs of this in the ravines and dry diggings, which uniformly confirm what nature so plainly shows in the rivers.

For the purpose of forming some opinion respecting the probable amount or value of treasure in the gold region, it will be proper to state the estimates which have been made of the quantity collected since its discovery.

Gold was first discovered on the south fork of the American River, at a place called Sutter's Mill, now Coloma, late in May or early in June, 1848. Information which could be relied on, announcing this discovery, was not received in this city until late in the following autumn.

No immigration into the mines could, therefore, have taken place from the old states in that year. The number of miners was, consequently, limited to the population of the territory—some five hundred men from Oregon—Mexicans and other foreigners who happened to be in the country or came into it during the summer and autumn, and the Indians, who were employed by, or sold their gold to, the whites.

It is supposed there were not far from 5,000 men employed in collecting gold during that season. If we suppose they obtained an average of 1,000 dols. each—which is regarded by well-informed persons as a low estimate—the aggregate amount will be 5,000,000 dols.

Information of this discovery spread in all directions during the following winter; and on the commencement of the dry season in 1849, people came into the territory from all quarters—from Chili, Peru, and other states on the Pacific coast of South America—from the west coast of Mexico—the Sandwich Islands, China, and New Holland.

The emigration from the United States came in last, if we except those who crossed the Isthmus of Panama, and went up the coast in steamers, and a few who sailed early on the voyage round Cape Horn.

The American emigration did not come in by sea, in much force, until July and August; and that overland did not begin to arrive until the last of August and first of September. The Chilians and Mexicans were early in the country. In the month of July, it is supposed, there were fifteen thousand foreigners in the mines. At a place called Sonorian Camp, it is believed there were at least ten thousand Mexicans. Hotels, restaurants, stores, and shops of all descriptions, furnished whatever money could procure. Ice was brought from the Sierra, and ice-creams added to numerous other luxuries. An enclosure, made of the trunks and branches of trees, and lined with cotton cloth, served as a sort of amphitheatre for bull-fights; other amusements, characteristic of the Mexicans, were seen in all directions.

The foreigners resorted principally to the southern mines, which gave them a great superiority in numerical force over the Americans, and enabled them to take possession of some of the richest in that part of the country. In the early part of the season the Americans were mostly employed on the forks of the American, and on Bear, Uba, and Feather rivers. As their numbers increased, they spread themselves over the southern mines, and collisions were threatened between them and the foreigners. The latter, however, for some cause—either fear, or having satisfied their cupidity, or both—began to leave the mines late in August, and by the end of September many of them were out of the country.

It is not probable that during the first part of the season there were more than five or six thousand Americans in the mines. This would swell the whole number, including foreigners, to about twenty thousand the beginning of September. This period embraced about half of the season during which gold may be successfully collected in the rivers.

Very particular and extensive inquiries respecting the daily earnings and acquisitions of the miners lead to the opinion that they averaged an ounce per day. This is believed by many to be a low estimate; but from the best information I was able to procure, I am of opinion that it approaches very near the actual results. The half of the season, up to the 1st of September, would give sixty-five working days, and to each labourer, at 16 dols. per ounce, 1,040 dols. If, therefore, we assume 1,000 dols. as the average collected by each labourer, we shall probably not go beyond the mark.

This would give an aggregate of 20,000,000 dols. for the first half of the season—15,000,000 dols. of which was probably collected by foreigners. During the last half of the season the number of foreigners was very much diminished, and, perhaps, did not exceed 5,000. At this time the American immigration had come in by land and sea, and the number of our fellow-citizens in the mines had, as was estimated, increased to between 40,000 and 50,000. They were most of them inexperienced in mining, and it is probable the results of their labour were not as great as has been estimated for the first part of the season and experienced miners; assuming that the average of half an ounce per day ought to be considered as reasonable, it would give an aggregate of about 20,000,000 dols. If from this we deduct one-fourth on account of the early commencement of the wet season, we have an estimate of 15,000,000 dols.; at least five of which was collected by foreigners, who possessed many advantages from their experience in mining and knowledge of the country.

These estimates give, as the result of the operation in the mines for 1848 and 1849, the round sum of 40,000,000 dols.—one-half of which was probably collected and carried out of the country by foreigners.

From the best information I could obtain, I am led to believe that at least 20,000,000 dols. of the 40,000,000 dols. were taken from the rivers, and that their richness has not been sensibly diminished, except in a few locations, which had early attracted large bodies of miners. This amount has principally been taken from the northern rivers, or those which empty into the Sacramento; the southern rivers, or those which flow into the San Joaquin, having been comparatively but little resorted to, until near the close of the last season. These rivers are, however, believed, by those who have visited them, to be richer in the precious metal than those in the northern part of the gold region.

There is one river which, from *reported* recent discoveries, and not included in the description of those flowing into the great plain west of the Sierra Nevada, is as rich in gold as any of them. That is the *Trinity*, which rises north of the head-waters of the Sacramento, and discharges into the Pacific not far from the fortieth degree of north latitude.

There are, as nearly as my recollection serves me, twelve principal rivers in which gold has been found; but most of the 20,000,000 dols. in the above estimate was taken from six or seven of them, where it was first discovered and most accessible.

Adopting the hypothesis that the gold found in the beds of these streams has been cut or worn from the veins in the quartz through which they have forced their way, and considering the fact that they are *all rich*, and are said to be nearly equally productive, we may form some idea of the vast amount of treasure remaining undisturbed in the veins which run through the masses of rock in various directions over a space of forty or fifty miles wide, and near five hundred miles long.

If we may be allowed to form a conjecture respecting the richness of these veins from the quantity of lump or coarse gold found in the dry

diggings, where it appears to occupy nearly the same superficies it did originally in the rock—its specific gravity being sufficient to resist ordinary moving causes—we shall be led to an estimate almost beyond human calculation and belief. Yet, as far as I can perceive, there is no plausible reason, why the veins which remain in the quartz may not be as valuable as those which have become separated from the decomposed rock. This matter can only be satisfactorily decided by actual discoveries.

The gold region of California having attracted a large share of public attention, it was to be expected that various suggestions and propositions would be made with respect to the proper mode of disposing of it.

The difficulty in arranging a suitable plan has been the want of accurate information on which a well-considered opinion might be formed. Its distance from the seat of government, the conflicting statements and reports respecting it, served only to bewilder and mystify the public mind, and render a thorough examination of it necessary, to ascertain whether its value is such as to render legislation necessary for its proper protection and management.

If it appears, from the preceding part of this report, that it is sufficiently important to require laws suited to the condition and development of its wealth, we are necessarily brought to the consideration of the proper rules and regulations to be adopted for that purpose.

The survey and sale of that section of country, under our present land system, or any other mode which may be devised, would, undoubtedly, cause very serious discontent among those who have gone, and all who may desire to go there to collect gold, and a most unnecessary and unavoidable inequality in the distribution of wealth among the purchasers.

Sections, and parts of sections of land, having no indications of gold on the surface, but possessing untold treasures in the bowels of the earth, might be sold for what would be a mere trifle in comparison of their real value. Capitalists would forbid the daring, strong-armed day-labourer, who had braved the storms of Cape Horn, or the privations of a journey across the plains; and, by the power and combination of resources, would possess themselves of the most valuable mines which have been discovered, and employ skilful miners to examine the country with as much secrecy as possible, for the purpose of making such discoveries as would enable them in a great degree to monopolize the most valuable portions of the country.

It is much easier to imagine than describe the discontent, perhaps disorder, which would spring up among a hundred thousand freemen deprived of the privilege of an equal enjoyment of, or participation in, what they have been in the habit of regarding as the common property of the people of the whole Union.

It is, perhaps, more than doubtful whether such laws could be enforced. The employment of troops for that purpose would not only be odious, but ineffectual; they would be more likely to set an example of insubordination by desertion, than to compel obedience in others.

The people would unite with them in producing anarchy and confusion. No system, therefore, which is not in accordance with the interests of the people can be carried into successful operation. It is always fortunate when laws can be so framed as to harmonise those interests with the policy and duty of the Government. It is believed that may be accomplished in this case.

While every American citizen in the mines is aware that he is on Government property, and would consider any attempt to drive him

away as an act of oppression, he at the same time feels that something is due from him for the privilege he enjoys, and he would willingly pay a reasonable sum to have those privileges defined, and to be protected in the enjoyment of them.

The gold in the rivers, the dry diggings and the ravines, is accessible to any man who has the strength to use a pan or washer, a spade and pickaxe.

The employment of machinery may perhaps facilitate its collection, but it is not essential. Every man is master of his own movements. The case will be very different with the vein-mines, which yet remain in the rock. To work them successfully will require machinery, with horse or steam power, involving an expenditure of capital in proportion to the extent of the operations.

No prudent man will make such investments until his rights and privileges shall have been clearly defined by law. In the absence of all legal regulations, if a man were to discover a vein-mine, and incur the expense of erecting machinery to work it, any other person, citizen or foreigner, might construct an establishment alongside of him, deprive him of his discovery, and destroy the value of his discovery. Hence it will be perceived that any law prescribing the privileges and duties of miners should be so framed as to secure the rights of all.

There is some fertile soil in the gold regions—beautiful valleys and rich hill-sides—which, under circumstances favourable to agriculture, would undoubtedly be valuable for that purpose; but at present, and as long as the collection of gold shall continue to reward labour so much more abundantly than the cultivation of the soil, the important matter to be considered is, the proper mode of disposing of the metallic wealth of the country.

The first step, in my opinion, should be to reserve the entire region where gold is found from the operation of the preemption laws, and from sale, so that it may be now regarded the *common treasure* of the American people, and hereafter as a rich inheritance to their posterity. Then provide for the appointment of a commission of the mines, and a sufficient number of assistant commissioners to carry the law into effect.

Let the office of the commissioner be established at some point convenient to the mines, say Sacramento City, and the offices of his assistant on the principal rivers, and in the most productive districts. Provide that any and every American citizen, on application at the office of the commissioner, or any of his assistants, and by paying one ounce, or 16 dols., or such sum as may be considered just and proper, shall be entitled to receive a licence or permit to dig anywhere in the territory for one year. Provide, also, that any one who shall *discover*, or purchase of the discoverer, a vein-mine, shall be entitled to work it to a certain extent, under proper regulations, on paying to the commissioner such per-cent. on the proceeds of the mine as may be a suitable tax on the privileges granted. It will be necessary also to allow the miner to cut and use such timber and other building materials as his business requires; and, also, to allow those who work under permits the privilege of erecting cabins for shelter through the winter. Authorise the commissioner to lay out sites for the towns in convenient situations to the mines, and offer the lands for sale, reserving the metals and mineral, so that those who make mining a permanent pursuit may accumulate around them the comforts and enjoyments of civilised life. Let those who desire to cultivate gardens or farm-lots be accommodated. It will be necessary also to authorise the sale of timber and other materials, for building and other purposes. There may be other suggestions which do not now



occur to me, but no doubt will to those who may be charged with the preparation of any measure which may be brought forward on this subject.

I have suggested one ounce, or 16 dols., as the price of a permit or licence to dig or collect gold for one year. This I regard as about the average value of one day's labour in the mines. This tax on 50,000 miners, the probable number next summer, will give a revenue of 800,000 dols. On 100,000 miners—the probable number of 1851—it will give 1,600,000 dols., besides the per-centum on the vein-mines, and the sum received for town lots, timber, &c., &c., which would probably swell the amount to at least 2,000,000 dols. Any variation in the tax imposed will, of course, increase or diminish this estimate.

A suitable amount of the money thus collected should be expended in constructing roads and bridges, to facilitate communication to and through the mining districts.

These facilities will so reduce the cost of living in the mines, that the miners would gain instead of lose by paying the tax. These are accommodations which the miners themselves will never provide, because of the want of concert of action among them sufficient to accomplish such objects, but for which they will willingly pay any moderate contribution. A liberal per-centum should be allowed out of this sum as a school fund, and for the establishment of a university to educate the youth of California. Let it not be considered that this will be doing injustice to the older states of the Union. They will reap a harvest sufficiently rich in their intercourse with their younger sister on the Pacific to justify the most liberal course of policy toward her.

I have given 2,000,000 dols. as the probable revenue for 1851, under the proposed system. This would discharge the interest on the amount stipulated in the treaty to be paid to Mexico for California and New Mexico, provide 300,000 dols. per annum for a school fund, and the necessary improvements in mining districts, and create a sinking fund of half a million per annum, to pay the principal of the indemnity to Mexico.

An increase of the number of miners, or of the price of permits, would of course increase the revenue. If the vein-mines shall be found as extensive and productive as the best-informed persons suppose, the right to work them, properly secured by law, and the opportunity thus offered of using machinery to advantage, will justify the collection of a much larger per-cent. on their gross product than it is proposed to require from those who labour with their own hands in the use of the simple means now employed in the collection of gold. The amount, therefore, collected from this source may ultimately be as large, perhaps larger, than that for permits.

If revenue is an object, there can be little doubt that, by the adoption of this system, the amount collected in a few years will be larger than the entire district would command in ready money, if offered for sale; and the interests and privileges of those employed in the mines will be secured from the grasping and monopolizing spirit of individual proprietors; California and the whole Union preserved from scenes of anarchy and confusion, if not bloodshed, which must result from a sale of the mining region to speculators, and an attempt to protect them in the enjoyment of their purchases.

The salaries of the commissioner and his assistants may easily be paid out of the amount received, in fixed sums, or in the form of a per-centum.

I have proposed to exclude foreigners from the privilege of pur-

chasing permits, and from working as discoverers or purchasers in the vein-mines. My reasons for recommending this policy are, that these mines belong to, and in my judgment should be preserved for, the use and benefit of the American people. I mean, of course, all citizens native and adopted.

Many of the emigrants to California, especially those from the western states, will remain and form a resident population; but there will be thousands and tens of thousands of young and middle-aged working men from all parts of the Union, who will resort to the mines for the purpose of obtaining the means to purchase a farm or establish themselves in some favourite pursuit, and as soon as they have secured a sufficient amount will return, and their places will be supplied by others who will go and do likewise.

This process has already commenced. Many who went out last spring have returned with an ample reward for their labours and privations. The market in California for the products and manufactures of the other states of the Union will enhance prices, which, with the gold collected and brought home by labouring people, will diffuse a degree of wealth and comfort hitherto unknown by them.

The *quicksilver mines* of California are believed to be numerous, extensive, and very valuable. There is one near San José, which belongs to, or is claimed by, Mr. Forbes, of Tepic, in Mexico. The cinnabar ore which produces the quicksilver lies near the surface, is easily procured, and believed to be remarkably productive.

Discoveries of other mines are reported, but no certain information respecting them has been made public. It is, undoubtedly, a fortunate circumstance that nature, in bestowing on California such vast metallic treasure, has provided, almost in its immediate neighbourhood, inexhaustible stores of quicksilver, which is so essential in gold-mining.

The policy of Government with respect to these mines of cinnabar should, in my opinion, be quite different from that which I have felt it my duty to suggest for the management of the gold region. As soon as the necessary explorations can be made, and proper information obtained, it will be well to offer these mines for sale, and commit their development to the hands of private enterprise.

It is believed that there are extensive beds of silver, iron, and copper ores in the territory; but there is no information sufficiently accurate respecting them to justify any statement of their existence and value.

The report concludes by showing the necessity and importance of immediately establishing a mint at San Francisco.

The latest intelligence that has reached this country since the commencement of the dry season is of an exceedingly encouraging description, as far as regards the quantity of gold. Every fresh exploration of the country reveals the fact that the soil and rocks are more richly charged with the auriferous metal than any region hitherto discovered, while the geographical area over which the golden harvest is spread is equally unparalleled in extent.

During the rainy season, when the gold diggers were compelled to be nearly idle, in consequence of the height of the waters on all the tributaries to the Sacramento and San Joaquin, it appears that they were subject to comparatively little sickness, and the fears which had been expressed at the setting in of the season, that the miners would suffer from a deficiency of provisions and other articles necessary to the season, had not been realized. Individual cases of extreme suffering

and hardship undoubtedly occurred, but, on the whole, the miners encamped at the various "diggings" in the Upper Country weathered the wet season with comparative impunity.

From the letter of a gentleman in business to his father in London, dated February 28th, 1850, we take a few passages, descriptive of the country, and the state of affairs during the rainy and inactive season.

"I went to the mines in search of money for goods sold, and met with poor success, and fear the population now pouring in will keep us old residents always suspicious, as previously few bad debts were contracted, and now I am likely to lose some five or six thousand dollars, but I console myself with the reflection that it is so much experience bought. I started for the mines, expecting that the rainy season was over, and after losing our way once, we arrived at the twelve-mile tent, where we had supper, when the rain began to descend in torrents, and continued all night, notwithstanding which we decided upon proceeding. The rain not abating, the next day the country round the tent appeared like an immense lake, and ducks were swimming within a few yards of the tent. We, however, proceeded, although several times in fear of losing our lives, having had to swim five creeks, or, as they are called here, sloughs, and had to walk two miles knee-deep in mud and water; one of my companions not being able to swim, we were obliged to take the ropes from our mules and pull him over; frequently nothing was to be seen of him but his hat. These creeks or sloughs would most probably be passable in a few days without the water being higher than the knees of the mules. You will perhaps be surprised at our proceeding, but to return would have been as bad; and if we had stayed at the tent, we should have had to feed our mules on barley at two dollars a quart. When we arrived at the next tent, I was so completely knocked up I could scarcely speak; however, a good supper on salt pork, slap jacks, and molasses, with a little whisky, soon restored me. This you will consider rather hard work, after having been shut up in my tent for two months, chiefly occupied with my official duties as first alcade. The next day we started with fine weather, but had frequently to alight from our mules and walk, to prevent them from miring (sticking in the mud). The next day we reached the first mines at Curtis's Creek, named after the partner of one of my companions; we stayed there a day to recruit, and left one of my companions, who was proceeding to the Sonorian Camp on the Stanislaus River, to superintend a party of fourteen men who were working there. Whilst staying here I saw a specimen of gold, weighing twenty-two pounds odd, for which I offered five thousand dollars, and, although more than its intrinsic value, was refused, the parties intending, with that and other specimens, to proceed to New York and Europe, and make an exhibition of them. From the Sonorian Camp we started for the southern mines, and stopped at a trading post and mines called Jacksonville. I had previously visited this spot, and saw nothing but a wild country and Indians; judge of my surprise on finding the place covered with tents and log-houses, with gardens fenced in. There happened, at the time we arrived, to be a meeting of a damming company, with directors, a president, vice-president, &c. &c., and the order in which the business was conducted, was superior to many I have witnessed in large towns. Leaving Jacksonville, where I could not obtain a single dollar of some thousands that were owing to me, we proceeded on to the mines called the Mariposa and Aguafoca, on the road to which I got mired, owing entirely to my being a friend to the Society for the Prevention of Cruelty to Animals; for, letting my mule take his own way, I had to go into the

nire after him, and made a rather ridiculous appearance, being obliged to have a rope thrown to assist me to get out of the mud. At —, I met with better success in collecting my debts. One old fellow had his gold buried. Here [the place from which the letter is dated] we had to sit up and keep watch and watch, to prevent our mules from being stolen, a practice the people in this part of the country are much addicted to. From this place we departed to return home; leaving our mules at a *ranch*o, we returned by the river, and, after being knocked about on mules for so long a time, we found the change to a boat, going down with a rapid current, very agreeable."

The 'Alta California' of the 1st April says, on the same subject—

"We have just conversed with an intelligent gentleman thoroughly acquainted with the mining regions, who has returned recently from a tour through the various settlements known as Spanish Bar, Georgetown, Hangtown (new Placerville), Kelsey's Diggings, Weberville, Auburn, and Greenwood Valley. He found the roads very bad, and travelled on horseback with much difficulty. He gives the most favourable accounts of the situation of affairs in the region spoken of. The population has increased in a surprising manner during the winter, and little settlements have sprung up every three or four miles. The utmost content prevailed among the miners, who were all perfectly satisfied with the result of their winter's labour. The general disposition among them appeared to be to remain in the diggings until the hot weather sets in, and not to come down with their dust until May or June, in order to reap the rich harvest expected at the falling of the waters. This applies to all the mining regions."

Immediately upon the waters commencing to subside, the search after gold was recommenced with the utmost eagerness, and with even greater success than in previous years. The systematic and mutual efforts of the "damming companies," referred to by the writer of the preceding letter, may have, to a considerable extent, aided in producing a larger return.

The diggings on the American Fork, Feather River, and Deer Creek, yielded a good return throughout the winter, and nearly all the mining population intended remaining in the mountains until June, to take advantage of the rich deposits left by the rains. Further south, at the head of the San Joaquin valley, very rich placers were said to have been discovered. Parties going into California by the Old Spanish Trail from Santa Fé discovered gold on the eastern slope of the Sierra Nevada, about 200 miles from Los Angeles.

The new inland towns—especially Vernon, Yuba City, and San Joaquin City, were flourishing remarkably, and bid fair to become large and important points. Sacramento City was progressing with an enterprise scarcely second to San Francisco. A levee was to be built this season at a cost of 200,000 dols.; and the 'Placer Times' gives a description of a theatre in the course of erection, 100 feet deep, and modelled after the Astor-place Opera House.

Yuba City, which has not been previously mentioned, seems to be the last of the new towns which have so rapidly sprung into existence in the mining region. It is situated 200 miles above San Francisco, and 45 miles up the Feather River, being at the head of navigation on that stream. It is said to be placed in "a most lovely location, and the surrounding valley inexhaustibly fertile and well adapted to agriculture. It will be a large town ere the end of the year, as beyond it are some of the richest mines of the Sacramento Valley—those of Feather and Yuba Rivers and their tributaries."

According to the same authority, among the new towns that are

springing up in the Southern Valley, that of San Joaquin City on the main branch of the San Joaquin, two miles below the mouth of the Stanislaus, is taking the lead, and must in a short time become an important, as it is a central, depôt to the extensive mining district beyond. The site is high and romantically lovely, and the plains capable of any kind of culture, but more particularly for wheat. Immense herds of elk can be seen almost any day. The western boundary of the valley lies distant ten miles, where the blue rays of the coast mountains give shelter to countless thousands of game that come down to feed upon the luxuriant grasses below.

The 'New York Tribune' of the 11th of June contains the following description of another of these cities, which seem to rise up with the same celerity as the palace of Aladdin in the Eastern story:

"Foremost among the new towns stands Culloma, the future Manchester of Pacific America. That this is no flourish of trumpets you may be assured from the fact that Culloma is not in the 'market'—there is no impending sale of lots—in short, the writer has no '50 vara' reasons or '60 feet front' motives for exaggeration.

"Situated upon the South Fork of the American River, in the heart of the richest mining district in the country, it possesses unlimited milling and manufacturing privileges. What more powerful auxiliary can be needed to so singularly advantageous a position? At least such facilities are not often found in the very location where they are most desirable.

"Capital is necessarily abundant, and compensation or wages proportionally high.

"For trade, Culloma is a central depôt; and the prices of all articles of merchandize and traffic are fixed within the bounds of reasonable profit. The supply of these articles being governed by a steady demand and regular consumption, the trade of the place is a legitimate one, and the place itself a substantial, go-ahead, business town—not a focus of speculation.

"Take it all in all, the location offers unrivalled inducements to mechanics, agriculturists and labouring men, as well as to every professional class, *except physicians*.

"In many respects visitors are reminded of the large towns of New England, particularly by the quiet demeanour and staid habits of the denizens of these orderly streets.

"I will only add to all this, that Culloma is charmingly situated in a romantic basin, shut out from the gaze of the rude world by something more lovely, if less picturesque, than those 'Alpine hills' we 'read about'—that it bestrides a noble river *dating* from the Snowy Mountains—that instead of being environed, like the southern valleys, by mountains of barren sand and baked limestone, this sweet vale is fenced in by hedges of healthy hills that sport vegetation on every gentle slope and pine-crowned summit."

The correspondent of the same journal, describing the state of San Francisco on the 30th April, says:—

"The market is completely overwhelmed with property, especially of lumber, stores, iron and wood houses, fire-arms, munitions, &c. And, unlike other markets, when an article is not wanted, it sinks so fast under the weight of *charges* as to be soon lost entirely. At present, large shipments of anything are unsafe; but well-assorted cargoes of choice provisions in good order and small packages will always find a ready demand.

"The present tide of emigration to this country is altogether excessive. There is gold enough for all, but only a few men get rich in

digging it, and still fewer will make money in the overdone channels of business. It is well known that the summer months are the only time for successful mining operations, the rainy season commencing in November and continuing until April, during which time heavy expenses, privations, and inclement weather must be endured. Those who leave home in midsummer or afterward should be well provided with money, have good health, and a firm resolution for the task, for they will find sight drafts upon each awaiting them here. It is not, however, for the purpose of discouraging emigration that these suggestions are offered, but rather that it may be more temperate and seasonable. And as I am established in business here, the advice may be considered as at least disinterested. The 'Gold Hunter' is in with a crowd of passengers, and seven vessels are now coming up the bay loaded in like manner."

The abundant return from the mines is proved by the fact that the steamer Cherokee, which brought the mail to New York on the 10th June, carried at the same time at least half a million sterling of gold-dust. Her advices were to the 1st May. Her dates from San Francisco are to the evening of May 1. Trade was somewhat more lively, but prices were low. Flour, 9 dols. to 10 dols. per barrel; rough lumber, 23 dols. to 28 dols. per M.; bricks, 25 dols. to 30 dols. per M.; pork (mess), 25 dols. to 28 dols. per barrel; hams, 20c. to 25c. per lb.; potatoes, 12 dols. to 15 dols. per cwt.; and lard, 37c. to 47c. per lb. Gold-dust was again beginning to be received from the mines, and failures in business were for a while, it was hoped, permanently suspended.

Nearly 4,000,000 dols. in gold-dust had left San Francisco for Panama since March 1. The California Legislature had adjourned, after having passed 143 acts and 17 joint resolutions, nearly all of which were directly necessary to the thorough organization of the State Government. There were 6,000 men at work on the American Fork, and nearly as many on the Trinity, quite as many on the Middle Fork, and everywhere the promise of an abundant crop of gold. The emigration to the mines from all quarters was immense.

The overland emigration to California this year is truly enormous. Sometimes at St. Joseph's, Missouri, the "jumping-off place," there have been as many as 15,000 people at one time. Gambling, drinking, swearing, praying, fighting, women of doubtful character, music and dancing, sickness, carelessness, recklessness, and death, are described by several letter-writers as characteristics of life at St. Joseph's. Corn is 3 dols. a bushel, flour 5 dols. per 100lbs., and all kinds of provisions and clothing there are extravagantly dear. Many reach St. Joseph's, lose all they had provided for their journey to Oregon by gambling, and then endeavour to get back, heartily ashamed of themselves, to their homes. Or thither they are ashamed to go, and become vagabond and broken men. And if they die from physical sickness, from mental anguish and despair, why, who are they? Nobody knows, and nobody cares. Such is life on the very threshold of an overland California or Oregon journey.

With respect to rates of travelling, freight for goods &c., we find the following in the San Francisco markets, under date April 28th:—

Passenger rates per steamers to Sacramento City are 20 dols. and 25 dols.; to Yuba City and Marysville per steamers, 35 dols. and 40 dols.; per sailing vessels to Sacramento City, 8 dols. to 15 dols.; and to Yuba City and Marysville, 12 dols. to 20 dols. Freights per steamers to Sacramento City continue at 25 dols. per 100lbs., and 75c. per foot; per sailing vessels, 25 dols. per ton; lumber at the same rate per M; from here to Marysville and Yuba City per steamers, 6 dols. to 8 dols. per

100lbs. ; per sailing vessels, 1 dol. 50c. to 2 dols. per 100lbs., 75c. per cubic foot. Passenger rates per steamer to Stockton are 25 dols. ; per sailing vessels, 10 dols. Freights to Stockton per steamers are 2 dols. per 160lbs. heavy, and 2 50 light ; per sailing vessels, 1 50 per 100lbs. heavy, and 2 dols. light. Passenger rates to Trinity Bay are 50 dols. ; freights, 50 dols. to 60 dols. Passenger rates to Oregon, 100 dols. ; freights, 20 dols. per 2,000lbs., 24 dols. per 40 cubic feet. Passenger rates to Sandwich Islands, 50 dols. to 75 dols. ; freights, none offering. Freights of guano are offering to vessels from Chili to the States at 15 dols. per ton ; to England, 3*l*. 10*s*.

We have already referred to the growing desire that more speedy and economical communication should be established between the Pacific and the Atlantic coasts of the Continent, and also the necessity for similar facilities for the trade with Europe. Apart from the importance of such routes to this country in a commercial point of view, however, it is in keeping with all connected with the discovery of the gold mines of California, that they should have apparently laid the foundation of an extensive, wealthy, and powerful state in Central America, which will be traversed by those new lines of communication. This will result from the influx of a new race with indomitable energies and no want of capital into a country which has slumbered for centuries, though abounding in natural riches both of the mineral and the vegetable kingdoms equal to any part of the globe. Such are Nicaragua, Costa Rica, San Salvador, Guatemala, and Honduras, with an aggregate population of more than one million and a quarter. The treaty for the neutrality of that portion of the State of Nicaragua through which the proposed route to California will be established, appears to have given satisfaction to all parties. A well-informed writer on the subject, looking forward to the consequences, says :

"The certainty of these two routes of Panama and Nicaragua being speedily carried out, in a more or less perfect degree, places the rapid settlement of Central America beyond all doubt ; and hence gives to all personal descriptions of this country an interest which comes home to our daily business. Let the reader imagine what must be the effect of an annual transit of 50,000 or 100,000 adventurous and well-informed people through a strip of country scarcely one hundred and fifty miles broad, yet commanding the ocean intercourse with Europe on one side and with Asia on the other, favourable to health, and abounding at the same time, owing to the inequalities of its surface, with every natural product that can be found distributed elsewhere between Scotland and the tropics, and an impressive idea of its coming destiny will be awakened ; but let the glance be carried further, to the period of the completion of the canal, and then let it be remembered that within the strip of land lie two calm, yet deep and extensive lakes, that seem, as we look upon them in the map, like huge natural docks in the centre of the world, intended to receive the riches of a universal commerce ; and, in the contemplation of what is yet to be realised, the mind will almost beat with impatience against the slight barrier of time which yet remains between us and its accomplishment."

As regards the practicability of these projects, we learn, with reference to the railway from Navy Bay on the Atlantic to Panama on the Pacific, the entire cost of which is estimated at one million sterling, that the first part, consisting of 22 miles from Panama to Gorgona, where it joins the Chagres River, has already been contracted for, and the full capital subscribed at New York. The second line, the ship canal, is also settled definitively. Arrangements are in progress to render the passage by the river San Juan and the lakes practicable in the course of next

month, and the papers recently received contain a decree of the President of Nicaragua, issued in consequence of an announcement that American steamers on the Pacific will henceforth call at Realejo to obtain supplies of coals and provisions, directing that all such vessels shall be free of anchorage or tonnage duties, and that they shall have the privilege of erecting any wharves or docks that may be deemed necessary for their convenience. On consulting the map of Central America it will be perceived that, starting from San Juan on the Atlantic to Realejo on the Pacific, almost the entire transit may be performed by the navigation of the river and lakes; or that, if it should be preferred, the more southern Pacific port of San Juan del Sur may be adopted, where the strip of land to be crossed from the Lake of Nicaragua is still narrower, the distance being not more than 15 miles, over which there is even at this time a tolerably good road. Light steamers for the rivers and lakes and omnibuses for the land are said to have been already ordered, and looking at the vast saving of time and expense which will be gained to emigrants by the adoption of this route, as compared with Panama or Cape Horn, and the slight cost at which the operations connected with it can be carried on, there is little room to doubt its rapid organisation. It appears that, not only throughout Nicaragua, but also in Costa Rica, Guatemala, and the other republics of the Isthmus, manifestations of increasing commercial activity are observable; and there is every reason to believe that the extent to which this will be carried, when the swarms who are now preparing to leave the United States shall have been attracted to the new route, will be calculated to excite as much wonder as anything that has yet transpired in California itself. "Large numbers," it is observed, "will at once settle in the country, attracted by its fertility, healthfulness, and beauty; roads will be made in all parts, and steamers introduced wherever they can be run. Warehouses will be constructed, and the varied produce, animal, vegetable, and mineral, of the entire region will find its way to the line of the canal, to be distributed in the shape of supplies to California, Oregon, Vancouver's Island, and Hawaii, as well as to Europe and the United States." That these views are not premature will be sufficiently borne out by the well-known facts, that the fertile soil of Central America is capable of supporting millions of inhabitants, and that its present state is to be attributed to no other cause than the indolence of the Spanish race. Up to this time the use of agricultural implements has actually been almost unknown amongst its inhabitants, the hoe and the machete being the only substitutes for the plough, the harrow, the scythe, and the sickle. The transportation of merchandisc has been at the rate of about 12 miles a day, and at the cost of about 10s. per cwt.; and, for want of roads to convey them to market, the price for good bullocks has been about 20s. each, with abundant pasturage yet remaining unappropriated. The demand for supplies for the countless vessels already gathering on the Pacific will soon cause all these sources of profit to be eagerly opened up, and in return gold-dust will be brought from California and coal from Vancouver's Island. The success of the first emigrants will promptly attract others, for the aptitude of the Americans to accommodate themselves to Spanish countries has already been shown in Mexico, and although the movement may not have the effect in the first instance of diverting English emigrants from their routine channels, it will create vacancies for them in New York and in the other Atlantic cities, while on all departments of our manufacturing industry it must exercise a permanent and steadily-increasing influence.



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